

**FINAL
ENVIRONMENTAL IMPACT STATEMENT**

**VOLUME 6 - COUNTY EIR PUBLIC HEARINGS
TRANSCRIPTS**

SOLEDAD CANYON

SAND AND GRAVEL MINING PROJECT

OEPC #FES-00-18

**BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE**

JUNE 2000

FINAL ENVIRONMENTAL IMPACT STATEMENT
SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT
VOLUME 6 - COUNTY EIR PUBLIC HEARINGS TRANSCRIPTS

Prepared for:

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE
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Project Applicant:

TRANSIT MIXED CONCRETE COMPANY
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EIS Consultant:

CHAMBERS GROUP, INC.
17671 Cowan Avenue, Suite 100
Irvine, California 92614

JUNE 2000

VOLUME 6 - DEIR TRANSCRIPTS OF DEIR ORAL TESTIMONY

LISTING OF SPEAKERS WHO PRESENTED TESTIMONY AT DEIR PLANNING COMMISSION HEARING APRIL 21, 1999

CODE	AGENCY	NAME
1	Regional Water Quality Control Board	Elizabeth Erickson
2	City of Santa Clarita	Vince Bertoni, Planning Manager
3	T.W. Construction	Tim Wilson
4	C.A. Rasmussen	Sharon Minerva
5		Bill Campbell
6	Southdown, Inc	Allen Thomas
7	Quinn Company	Bill Gaun
8	TMC	Thomas Powell
9	Southdown, Inc.	Phillip Avila
10	Century Sand and Gravel	Larry Eckrut, President
11		Stewart Larson
12		Chris Kolski
13		Linda Kirk
14		Stewart Kozoil

LISTING OF SPEAKERS WHO PRESENTED TESTIMONY CITY OF SANTA CLARITA CITY COUNCIL MEETING MAY 11, 1999

CODE	AGENCY	NAME
1		Jim Duzick
2		Charles Conklin Jr.
3		Diane Terito
4		Stacey Nickels
5		Tana Lampton
6		Mike Karbucker
7		Margo Karbucker
8		Robert Baida
9		Michell Johnson

10		David Colmeyer
11		Cisco McGregor
12		Richard Christensen
13		Jane Fleck
14		Ed Dunn
15		Stuart Larson
16		Judy Fried
17		Ben Curtis
18		Andy Fried
19	Santa Clarita Valley Canyon Preservation Committee	Marsha McLeon, President
20	Santa Clarita Organization for Planning and Environment (SCOPE)	Lynn Planbeck
21		Chris Hoefflin
22		Charmaine Posten
23		Karen Chebul
24		Bonnie Schilf
25		Jonathan Twong
26		Patricia Allen
27		Connie Warden-Roberts
28		Allan Cameron
29		Val Thomas

**LISTING OF SPEAKERS WHO PRESENTED TESTIMONY AT DEIR
PLANNING COMMISSION HEARING
JULY 14, 1999**

CODE	AGENCY	SIGNATURE
1	City of Santa Clarita	Ms. Darcy, Mayor
2	City of Santa Clarita	Mr. Jeff Lambert, Director of Planning and Building Service
3	Agua Dulce Town Council	James L. Duzik, President
4	Agua Dulce Town Council	Mrs. Diane Zureto, Secretary
5	Agua Dulce Civic Association Board of Directors	Lilian Smith
6	Agua Dulce Civic Association Board of Directors	Susan Kaplan
7	Agua Dulce Civic Association	Donna Sofley
8		Robert Beda
9		Kathy Riggins

10		Mr. Bill Filangilo
11	Local Costaic Lake Water Agency	Ed Dunn, Director
12		Linda Burke
13	Canyon County General Beautification Committee, Public Safety Law Enforcement Committee	Ms. Harper
14	S.A.F.E.	Karolyn De Mott
15		Tana Lampton
16		Brian Nichols
17	Polish Center in LA, Rivers End Park	Chris Colski
18	Rivers End Park	Al Kolasinki
19	Newhall County Water District, Castaic Lake Water Agency	Michael Kotch
20	SCOPE	Lynne Planbeck, Vice President
21		Dave Hauser
22	Sand Canyon Homeowners Association	Robert Fleck, Director
23		Jane Fleck
24		Charmaine Posten
25		Nicole Ortega
26		Morgan Stein
27		Chase McKenzie Bebak
28	City of Santa Clarita	Jill Klazic, Mayor Pro Tem
29	L.A.S.E.R.	Allen Cameron
30	S.A.F.E.	Michael Henry Carbarker, President
31		Barbara Wampoll
32		Stewart Larson
33		Dr. Jonathan Trong
34		Joanne Lombardo
35	Natural History Club of Acton/Agua Dulce	Stacey Nichols, President
36	Safe Actions For the Environment	Andrew Fried
37	Santa Clarita Valley Canyons Preservation Committee	Marsha McLean, President
38		Christine Jennis
39		Karen Pierson
40		Connie Warden Roberts
41		Hunt Rawly
42		Nick Peter
43		Joseph Yore
44		Charles Manson
45		Dina Proffer

**LISTING OF SPEAKERS WHO PRESENTED TESTIMONY AT DEIR
PLANNING COMMISSION HEARING
SEPTEMBER 22, 1999**

CODE	AGENCY	
1		Marian Jones
2		James Desk
3	Acton Town Council	David Weary
4		Mary Funk
5		Nancy Starzyk
6		Diane Terito
7		Chris Hamper
8		Bonnie Schiif
9		Nancy Miller
10		Jenny Larsen
11		Rick Scuderi
12		Lynn Baida
13		Gary Kodel
14		Jack Williams
15		Stacey Nickels
16	Pacific Crest Trail Association	Donna Saufley
17		Charles Brink
18		Sandy Richards
19		Margo Karbacher
20		Elaine and Ashton Dodd
21		Allen Cameron

California DEPOSITION REPORTERS

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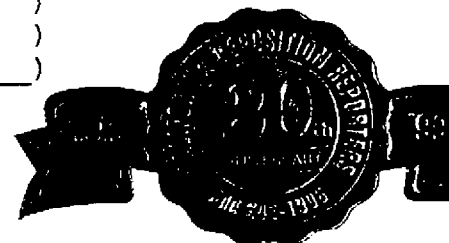
BEFORE THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES

TRANSIT MIXED CONCRETE COMPANY)

TO AUTHORIZE THE SURFACE MINING OF)
CONCRETE AGGREGATE, SAND AND GRAVEL)
AND THE OPERATION OF A CONCRETE BATCH)
PLANT AND APPURTENANT FACILITIES;)
TO AUTHORIZE A RECLAMATION PLAN FOR)
THE MINED LANDS)

CASE NO. 91-165-(5)

12101 SOLEDAD CANYON ROAD)
SOLEDAD ZONED DISTRICT)



REPORTER'S PARTIAL TRANSCRIPT OF ORAL PROCEEDINGS

BEFORE: THE REGIONAL PLANNING COMMISSION

320 WEST TEMPLE STREET
ROOM 150 HALL OF RECORDS
LOS ANGELES, CALIFORNIA

WEDNESDAY, APRIL 21, 1999
9:05 A.M. - 12:17 P.M.

REPORTED BY:
JENNIFER L. CLAYBORNE, C.S.R. NO. 10608

ORIGINAL

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CORPORATE OFFICE: Eastland Securities Bldg. • 599 S. Barranca Avenue • Penthouse • Covina, CA 91723

IRVINE
Jamboree
Center

LOS ANGELES
Broadway
Plaza

ONTARIO
Pacific
Office Center

PALM SPRINGS
Wells Fargo
Bank Building

SAN BERNARDINO
Vanir
Tower

SAN DIEGO
Emerald
Shapery Centre

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, APRIL 21, 1999

2 9:05 A.M.

3 ---000---

4
5
6 COMMISSIONER FELDMAN: ALL RIGHT, THANK YOU. WE ARE
7 NOW READY TO TAKE UP SURFACE MINING PERMIT 91-165. WE HAVE
8 EVERYTHING UP OR YOU NEED STILL TO GET SOME THINGS DOWN?

9 MS. MOORE: I STILL NEED TO GET SOME THINGS UP.

10 COMMISSIONER FELDMAN: ALL RIGHT, GO AHEAD.

11 (INTERRUPTION IN PROCEEDINGS.)

12 MS. MOORE: GOOD MORNING COMMISSIONERS. AGENDA ITEM
13 NUMBER SEVEN IS THE PUBLIC HEARING FOR SURFACE MINING
14 PERMIT NUMBER 91-165-5. THE APPLICANT IS TRANSIT MIXED
15 CONCRETE COMPANY, AND THEY PROPOSE A SAND A GRAVEL THE
16 MINING OPERATION WITH APPURTENANT FACILITIES ON 500 HUNDRED
17 ACRES WITHIN SOLEDAD CANYON. THE PROJECT IS LOCATED AT
18 12101 SOLEDAD CANYON ROAD WITHIN THE UNINCORPORATED COUNTY
19 AREA. THE PROJECT INVOLVES MINING UP TO 83 MILLION TONS OF
20 MATERIAL, CONCRETE AGGREGATE, TO PRODUCE 56.1 MILLION TONS
21 OF FEDERALLY OWNED SAND AND GRAVEL OVER A 20-YEAR PERIOD TO
22 A FULFILL FEDERAL CONTRACTS BETWEEN TRANSIT MIXED CONCRETE
23 COMPANY AND U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND
24 MANAGEMENT.

25 NOW, THE COMMISSION HAS HE HAD HEARD A LITTLE
26 BIT ABOUT THE TRANSIT MIXED PROJECT. ABOUT A THE YEAR AGO
27 THE COMMISSION CONDUCTED A HEARING ON THE BEE CANYON
28 PROJECT WHICH IS ADJACENT OR ON ADJACENT PROPERTY TO THE

1 TRANSMIT MIXED SITE. NOW, LOOKING AT THE BOARD THE SITE
2 PLANT IS MARKED EXHIBIT A. THE SUBJECT PROPERTY BOUNDARY
3 IS OUTLINED IN THIS PINK COLOR. COMPARING THE SITE PLAN TO
4 THE TWO AREA PHOTOGRAPHS THEY SHOW TWO DIFFERENT
5 PERSPECTIVES. THE ARROW ON THE LEFT SIDE IS THE VIEW OF
6 SUBJECT PROPERTY LOOKING TO THE EAST. NOW, THE SUBJECT
7 PROPERTY IS OUTLINED IN -- IS OUTLINED IN RED AND ON THE
8 AERIAL OF PHOTO ON THE RIGHT THE SUBJECT PROPERTY IS ALSO
9 OUTLINED IN RED, BUT THIS VIEW IS LOOKING NORTHERLY.

10 NOW, THE SUBJECT --

11 COMMISSIONER FELDMAN: AND THE WHITE BOUNDARIES.

12 MS. MOORE: THE WHITE BOUNDARY IS THE -- IT'S CALLED
13 SECTOR B-2. IT'S IDENTIFIED BY THE STATE DIVISION OF MINES
14 AND GEOLOGY, AND IT IDENTIFIES AREAS OF REGIONALLY
15 SIGNIFICANT AGGREGATE RESOURCES, AND THAT'S THE WHITE
16 BOUNDARY ON EACH PHOTOGRAPH.

17 COMMISSIONER CAMPBELL: WHERE'S THE BEE CANYON
18 PROJECT ON THE MAP?

19 MS. MOORE: THE BEE CANYON PROJECT ON THIS LEFT
20 AERIAL IS LOOKING EAST. THE SUBJECT PROPERTY IS TO THE
21 NORTH OF THE SUBJECT SITE. AGAIN, THIS IS LOOKING EAST.
22 THIS WOULD BE NORTH.

23 COMMISSIONER FELDMAN: SO DOES IT EXTEND ALL THE WAY
24 DOWN TO THE ROAD?

25 MS. MOORE: ALL THE WAY DOWN TO SOLEDAD CANYON
26 ROAD. ON THE SITE SOLEDAD CANYON ROAD IS DEPICTED WITH A
27 PURPLE COLOR, AND IT CROSSES THE SOUTHEAST CORNER OF THE
28 SITE. IN THE AERIAL PHOTO THAT WOULD BE ROUGHLY IN THIS

1 AREA RIGHT HERE. SEE, SOLEDAD CANYON ROAD CURVES AROUND AS
2 IT GOES TO THE EAST.

3 COMMISSIONER FELDMAN: AND THE SANTA CLARA RIVER ON
4 THAT SAME PICTURE.

5 MS. MOORE: THE SANTA CLARA RIVER IS TO THE SOUTH OF
6 SOLEDAD CANYON ROAD AND IT'S SOUTHERLY OF THE RAILROAD
7 TRACKS. THE RAILROAD TRACKS ROUGHLY PARALLEL SOLEDAD
8 CANYON ROAD AS IT GOES THROUGH THE CANYON AND KIND OF
9 SPLITS OFF TOWARD THE ANTELOPE VALLEY FREEWAY. AND ON THE
10 AERIAL PHOTO ON THE RIGHT SOLEDAD CANYON ROAD COMES --
11 WINDS DOWN AND AROUND AS IT GOES TOWARDS THE ANTELOPE
12 VALLEY FREEWAY, AND THE RAILROAD TRACKS AND THE SANTA CLARA
13 RIVER ARE TO THE SOUTH.

14 NOW, THE SUBJECT SITE IS LOCATED OUT IN THE NORTH
15 COUNTY AREA. IT IS LOCATED IN THE UNINCORPORATED PORTION
16 OF THE COUNTY. IT'S ROUGHLY TWO MILES AWAY FROM THE CITY
17 OF SANTA CLARITA, WHICH IS JUST TO THE WEST, AND NORTHERLY
18 AND SOUTHERLY OF THE ANTELOPE VALLEY FREEWAY, AND IT'S ALSO
19 LOCATED APPROXIMATELY THREE MILES AWAY FROM THE AREA KNOWN
20 AS AGUA DULCE, AND THE COMMUNITY OF ACTON IS LOCATED
21 FURTHER TO THE EAST. I WOULD SAY IT'S APPROXIMATELY SEVEN
22 MILES AWAY FROM SUBJECT SITE.

23 NOW, THE COMMISSION RECEIVES ONLY A HANDFUL OF
24 APPLICATIONS FOR SURFACE MINING PERMITS. PROBABLY WITHIN
25 THE LAST EIGHT TO 10 YEARS THE COMMISSION HAS ONLY HEARD OR
26 SEEN APPROXIMATELY TWO OR THREE CASES. WITHIN THE PROJECT
27 AREA THE SUBJECT SITE IS LOCATED APPROXIMATELY HERE. HERE
28 IS THE ANTELOPE VALLEY FREEWAY TO THE NORTH AND HERE IS

1 SOLEDAD CANYON ROAD. THE PROJECT SITE IS GENERALLY
2 NORTHERLY OF SOLEDAD CANYON ROAD, AND THERE ARE OTHER
3 MINING PROPOSALS AND EXISTING MINING OPERATIONS WITHIN THE
4 AREA. JUST TO THE WEST, SOUTHWEST OF THE SUBJECT SITE,
5 IT'S PROBABLY WITHIN, YOU KNOW, TWO MILES OF THAT SITE,
6 THERE ARE EXISTING SAND AND GRAVEL OPERATIONS IN HERE.
7 THIS MAP DEPICTS THESE OTHER OPERATIONS AND PROPOSED MINING
8 FACILITIES.

9 IN THE KIND OF THE YELLOWISH GREEN COLOR THAT
10 CURTIS SAND AND GRAVEL. IT'S DOWN NEAR THE SANTA CLARA
11 RIVER AT LANG STATION.

12 COMMISSIONER FELDMAN: MS. MOORE, MAY I SUGGEST AS
13 YOU GO THROUGH EACH OF THESE, THIS IS IMPORTANT FOR US TO
14 UNDERSTAND, JUST BRIEFLY GIVE A SENTENCE OR TWO ON WHAT THE
15 STATUS OF EACH OF THOSE FACILITIES IS IF THEY'RE IN CURRENT
16 OPERATION OR IF THEY'RE PENDING.

17 MS. MOORE: CERTAINLY. CURTIS SAND AND GRAVEL IS
18 CURRENTLY IN OPERATION. THEY MINE A PRODUCT SIMILAR TO THE
19 TYPE THAT WOULD BE MINED AT THE TRANSIT MIX ALTHOUGH
20 THEY'RE AN IN STREAM MINING OPERATION.

21 COMMISSIONER VARGO: A WHAT?

22 MS. MOORE: IN STREAM MINING OPERATION. THEY -- I
23 DON'T KNOW HOW LONG THEY'VE BEEN OPERATING, BUT I KNOW IN
24 1994 THEY HAD THEIR SURFACE MINING PERMIT RENEWED BY A
25 HEARING OFFICER. THERE'S ALSO CALMAT SWEETWATER
26 AGGREGATES, THAT'S IN THE PURPLISH BLUE. AND THE P.W.
27 GILLIBRAND OPERATION --

28 COMMISSIONER FELDMAN: AND IS THE CALMAT CURRENTLY

1 IN OPERATION OR IS IT PENDING?

2 MS. MOORE: I BELIEVE THEY HAVE SUSPENDED THEIR
3 OPERATIONS. THEY FILED WHAT'S CALLED AN INTERIM MANAGEMENT
4 PROGRAM FOR SURFACE MINING WITH THE STATE MINING BOARD.

5 COMMISSIONER FELDMAN: OKAY.

6 MS. MOORE: AND THAT'S LIKE THE NEXT STEP TOWARD
7 BEING DORMANT.

8 COMMISSIONER VARGO: BUT THEY ARE PERMITTED USE
9 THERE? THEY --

10 MS. MOORE: YES.

11 COMMISSIONER VARGO: THEY WERE EXISTING?

12 MS. MOORE: YES. THERE'S THE P.W. GILLIBRAND
13 OPERATION, THEY OWN THESE OTHER SITES WITHIN THE NATIONAL
14 FOREST.

15 COMMISSIONER FELDMAN: IS IT IN OPERATION?

16 MS. MOORE: YES, IT IS. THEY MINE NOT ONLY SAND AND
17 GRAVEL BUT ALSO TUNGSTEN.

18 COMMISSIONER FELDMAN: ALSO WHAT?

19 MS. MOORE: TUNGSTEN.

20 COMMISSIONER FELDMAN: OKAY.

21 MS. MOORE: JUST SOUTH OF THE TRANSIT MIX SITE IS A
22 OLD SURFACE MINING OPERATION, I DON'T BELIEVE THEY'RE IN
23 OPERATION NOW. THEY HAVE FILED WITH THE COUNTY A SURFACE
24 MINING CASE FOR RECLAMATION ONLY. THAT'S TO THE SOUTH OF
25 THE SITE IN THE ORANGE AREA. AND JUST TO THE EAST OF THE
26 SITE IN THIS KIND OF A LAVENDER COLOR IS THE CALMAT
27 PROPERTY. THE MINERALS IN THAT CASE ON PART OF THAT SITE
28 ARE OWNED ALSO BY THE BUREAU OF LAND MANAGEMENT WHICH IS

1 THE CASE WITH THE TRANSIT MIX PROPERTY.

2 COMMISSIONER FELDMAN: IS IT CURRENTLY UNDER
3 PRODUCTION OR NOT?

4 MS. MOORE: CALMAT NO. THAT IS PENDING. THEY'RE IN
5 THE ENVIRONMENTAL REVIEW OR ENVIRONMENTAL DOCUMENT
6 PREPARATION.

7 COMMISSIONER FELDMAN: SO THAT WILL ALSO BE BEFORE
8 THIS COMMISSION THIS YEAR?

9 MS. MOORE: POSSIBLY.

10 COMMISSIONER FELDMAN: SO IT'S PENDING. COULD YOU
11 ALSO BRIEFLY -- IS THERE MORE TO YOUR REPORT?

12 MS. MOORE: YES.

13 COMMISSIONER FELDMAN: OKAY, PLEASE CONTINUE.

14 MS. MOORE: OKAY. THE -- LET'S GO TO OVER AND LOOK
15 AT THE SITE GEOLOGY REPORT BEFORE I FORGET. ONCE AGAIN,
16 HERE'S THE SUBJECT PROPERTY. THIS MAP DEPICTS THE SITE
17 GEOLOGY. THE ONE BELOW IS IT IS A CROSS SECTION THE CROSS
18 SECTION IS IDENTIFIED AS B, THE B PRIME, WHICH IS B TO B
19 PRIME. THERE ARE BASICALLY THREE LAYERS TO THE VASQUEZ
20 FORMATION. THERE'S TV1 WHICH IS THE LOWER UNIT, TV3 WHICH
21 IS THE MIDDLE UNIT, AND TV3 WHICH IS THE UPPER UNIT OF THE
22 VASQUEZ FORMATION. THE FORMATION DIPS TO THE NORTHWEST AND
23 THE CROSS SECTION IDENTIFIES TV1, TV2 AND TV3 OF THE SITE.

24 NOW, TV1 IS THE MORE DESIRABLE MATERIAL FOR
25 MINING SAND AND GRAVEL. IT'S A THICK CONGLOMERATE
26 FORMATION WHICH REQUIRES SOME BLASTING TO LOOSEN THE
27 MATERIAL IN ORDER TO DRAW OUT AND THEN TAKE IT DOWN FOR
28 PROCESSING. BACK TO THE EXHIBIT A. THE AREA THAT IS TO BE

1 MINED IS SHOWN AS THE YELLOW COLOR. THE AREA FOR
2 PROCESSING, STOCK PILING, WHERE THE MINE OFFICE WOULD BE
3 AND FUEL STORAGE AGE TANKS, EQUIPMENT MAINTENANCE IS
4 LOCATED ON AN AREA KNOWN AS AREA B OF THE SUBJECT
5 PROPERTY. AREA A IS THE LARGER PROPERTY WHERE THE MINE
6 WOULD BE.

7 AREA B -- THERE'S A DETAILED MAP OF AREA B
8 RIGHT HERE. AGAIN, HERE IS SOLEDAD CANYON ROAD IN PURPLE.
9 THE -- THE MINE OFFICE WOULD BE LOCATED APPROXIMATELY HERE
10 NEAR THE ROAD. THERE WOULD BE A NEW ACCESS DRIVEWAY TO THE
11 SITE SO THEY COULD EITHER COME TO THE MINE OFFICE, OR THEY
12 COULD GO UP TO THE STOCK PILE AREAS, OR THEY COULD GO OVER
13 TO THE PROCESSING AREAS. NOW, THIS AREA IDENTIFIED IN
14 BROWN THAT KIND OF WINDS AROUND AND OFF THIS DETAIL MAP WAS
15 SHOWN ON THE SITE PLAN AS IT WINDS AROUND OVER TO THE
16 NORTHERN PART OF THE SITE. NOW, THIS IS THE NORTH FINES
17 STORAGE AREA HAUL ROAD, AND THE NORTH FINES STORAGE AREA IS
18 DEPICTED IN GREEN ON THE EXHIBIT A.

19 COMMISSIONER FELDMAN: CAN YOU DEFINE FOR US WHAT
20 THAT IS.

21 MS. MOORE: WELL, FIRST OF ALL FINES, FINES ARE NOT
22 WHAT YOU TYPICALLY THINK OF WHEN YOU THINK OF FINES. IT'S
23 NOT LIKE A PENALTY OR ANYTHING. FINES ARE THE MATERIAL IN
24 MINING WHICH IS CONSIDERED TO BE THE WASTE MATERIAL, AND
25 IT'S NOT THE SALABLE PRODUCT. SOME OF IT IS REALLY, YOU
26 KNOW, SMALLER IN SIZE, CAN'T BE SOLD AS SAND AND GRAVEL TO
27 BE PRODUCE IN CONCRETE, AND THAT'S WHAT THE APPLICANT IS
28 CONTRACTED TO DO WITH THE FEDERAL GOVERNMENT, PROVIDE

1 PORTLAND CEMENT CONCRETE AGGREGATES FOR CONCRETE
2 PRODUCTION.

3 AND CONCRETE, AS WE KNOW, IS USED IN A
4 VARIETY CONSTRUCTION PROJECTS, RESIDENTIAL, COMMERCIAL,
5 INDUSTRIAL, ALSO TO BUILD PUBLIC WORKS PROJECTS WHICH
6 INCLUDE BRIDGES, DAMS, FREEWAYS AND HIGHWAYS. LET'S SEE.

7 COMMISSIONER VARGO: BEFORE YOU GO ON, SINCE YOU
8 MENTIONED THE AREA FOR THE FINES AS BEING THE AREA THAT'S
9 THE GREEN ON EXHIBIT A, WHERE IS IT ON THE AERIAL? IS IT
10 ALSO THE GREEN?

11 MS. MOORE: YES. IT IS ON THE LEFT AERIAL
12 PHOTOGRAPH. THERE'S AN AREA IDENTIFIED IN DARKER GREEN,
13 THAT IS THE PROPOSED NORTH FINE STORAGE AREA. THE LIGHTER
14 GREEN THAT YOU SEE, THE ENTIRE OUTLINE INCLUDING THIS
15 DASHED PART, THE LARGER PART, IS THE REDUCED NORTH FINE
16 STORAGE AREA WHICH I'LL TALK ABOUT LATER.

17 OKAY, GETTING BACK TO THE STATE'S DESIGNATION
18 OF THE AREA IN WHITE AS SECTOR B-2 OR THE AREA OF REGIONAL
19 SIGNIFICANT AGGREGATE RESOURCE, THE STATE OF CALIFORNIA HAS
20 MADE AVAILABLE A PUBLICATION RECENTLY, AND THEY WERE KIND
21 ENOUGH TO PROVIDE THIS PUBLICATION TO US. IT IS THIS
22 EXHIBIT RIGHT HERE. IT'S AVAILABLE FOR SALE. AND WHAT IT
23 SHOWS IS THE LOS ANGELES REGION. IT SHOWS IN RED THE AREAS
24 OF AGGREGATE PRODUCTION. THE BLACK DOTS ARE THE EXISTING
25 MINING OPERATIONS. IN THIS CASE I'M PRETTY SURE THAT
26 THEY'RE LOOKING AT SAND AND GRAVEL WHEN THEY TALK ABOUT
27 AGGREGATE.

28 TRANSIT MIXED HAS AN EXISTING OPERATION IN

1 THE AZUZA AREA, WHICH IS ABOUT RIGHT HERE. IT'S A VERY
2 LARGE DEPOSIT. THERE ARE SEVERAL MINING OPERATIONS IN
3 EXISTENCE HERE. TRANSIT MIXED OPERATION HAS BEEN HERE MORE
4 OR LESS SINCE THE 1920S, SO YOU CAN IMAGINE HOW MUCH
5 AGGREGATE IS IN THAT AREA. A LOT OF PEOPLE DRIVING AROUND
6 SOUTHERN CALIFORNIA HAVE SEEN ALSO OPERATIONS IN
7 IRWINDALE. THIS MAP SHOWS ALSO ORANGE COUNTY AND SAN
8 BERNARDINO, RIVERSIDE, VENTURA COUNTY. THE SOLEDAD
9 PRODUCTION AREA IS LOCATED APPROXIMATELY HERE, THE SUBJECT
10 PROPERTY IS LOCATED RIGHT HERE. NOW, FURTHER OUT INTO
11 PALMDALE THERE ARE A COUPLE OF AGGREGATE RESOURCE AREAS
12 IDENTIFIED. YOU CAN SEE HERE AT THE LITTLE ROCK CREEK FAN
13 THERE ARE ALSO A NUMBER OF OPERATORS THAT CURRENTLY PRODUCE
14 SAND AND GRAVEL.

15 NOW, THIS IS A REALLY INTERESTING EXHIBIT IN
16 THAT IT HAS A LOT OF INFORMATION IN IT THAT IS EASIER TO
17 READ THAN READING THROUGH THE FULL STATE REPORTS. FOR
18 EXAMPLE, I'D LIKE TO JUST READ A FEW OF THESE COMMENTS ON
19 HERE, AND I BELIEVE THE APPLICANT HAS MADE SOME COPIES TO
20 PROVIDE THE COMMISSION. THIS A DOCUMENTS THAT'S PREPARED
21 BY THE STATE OF CALIFORNIA DIVISION OF MINES AND GEOLOGY.
22 JUST A FEW OF THE COMMENTS ON HERE. IT SAYS HERE IT TAKES
23 AS MUCH AS 200,000 TONS OF AGGREGATE TO BUILD ONE MILE OF
24 AND EIGHT LANE HIGHWAY. LOCAL SOURCES OF AGGREGATE ARE
25 CRITICAL FOR LOWER CONSTRUCTION COSTS. THE AVERAGE COST OF
26 A TON OF AGGREGATE DOUBLES WHEN HAULED A DISTANCE OF 35
27 MILES.

28 IT SAYS IN ALMOST ALL CURRENT AGGREGATE SITES

1 SERVING THE LOS ANGELES METROPOLITAN AREA WILL BE DEPLETED
2 OF RESERVES IN THE ABOUT 20 YEARS OR LESS. AND LASTLY, IT
3 SAYS CONSTRUCTION AGGREGATE IS THE HIGHEST TONNAGE AND
4 HIGHEST DOLLAR VALUE COMMODITY PRODUCED IN CALIFORNIA. IN
5 1997 173 MILLION TONS WERE PRODUCED WITH A DOLLAR VALUE OF
6 \$942 MILLION. SO THIS STUFF IS VERY IMPORTANT TO THE
7 ECONOMY IN THE STATE OF CALIFORNIA.

8 COMMISSIONER FELDMAN: CERTAINLY A GOOD ARGUMENT FO
9 BUILDING PUBLIC TRANSPORTATION INSTEAD OF HIGHWAYS, ISN'T
10 IT.

11 MS. MOORE: JUST A FEW MORE EXHIBITS AND I'LL BE
12 FINISHED. NOW, WE HAVE THE TRADITIONAL ZONING AND LAND US
13 MAPS. THE AREA IS ZONED M-2 WHICH IS FOR HEAVY
14 AGRICULTURE. THE ZONING ON SURROUNDING PROPERTIES INCLUDE
15 M-2 TO THE NORTH, M-2 TO THE SOUTH, A LITTLE BIT OF M-2 TO
16 THE EAST. ALSO HEAVY AGRICULTURE, A-2, IS LOCATED NORTH,
17 TO THE WEST, TO THE SOUTH, TO THE EAST. AND ALSO THERE'S
18 BITS OF WATERSHED ZONING WHICH IS LOCATED DOWN TOWARD THE
19 SANTA CLARA RIVER.

20 THE LANDS USE. THERE IS AN EXISTING QUARRY
21 ON THE SITE. IT IS NOT IN OPERATION. THAT QUARRY HAS NOT
22 BEEN RECLAIMED YET. THERE HAVE BEEN SOME DISPUTES BETWEEN
23 THE OWNER OF THE SURFACE RIGHTS OF THE PROPERTY AND THE
24 UNITED STATES GOVERNMENT. THAT WAS RESOLVED IN FAVOR OF
25 THE UNITED STATES GOVERNMENT PROCESS THROUGH A COMPETITIVE
26 BIDDING PROCESS. TRANSIT MIXED CONCRETE COMPANY IS UNDER
27 CONTRACTS TO MINE AND PRODUCE CONCRETE AGGREGATE AT THIS
28 SITE, BUT THERE IS NO EXISTING OPERATION THERE RIGHT NOW.

1 THE COMMISSION IS PLANNING A FIELD TRIP OUT
2 TO THE SITE ON JUNE 14TH, WHICH IS A MONDAY, AND THE
3 COMMISSION WILL BE ABLE TO SEE THERE ARE SOME EXISTING -- I
4 BELIEVE IT'S ROCK CRUSHING EQUIPMENT OR SOMETHING THERE.
5 YOU WILL SEE SOME FACILITIES THERE, BUT THEY'RE NOT IN
6 OPERATION. SURROUNDING LAND USES CONSIST OF VACANT LAND TO
7 THE NORTH, TO THE WEST, AGAIN THE PROPOSED BEE CANYON,
8 MOBILE HOME PARK OR MANUFACTURED HOME PARK IS LOCATED TO
9 THE NORTH AND TO THE WEST JUST SOUTH OF THE ANTELOPE VALLEY
10 FREEWAY. THAT CASE IS PENDING. THEY ARE CURRENTLY WORKING
11 WITH THE MINING AND GEOLOGY BOARD WITH STATED TO HAVE
12 PREPARED AND APPROVED A MINING IMPACT STUDY, WHICH THE
13 COMMISSION REQUIRED THEM TO PREPARE, AND THE STATUS OF THAT
14 CASE RIGHT NOW IS JUST PENDING. WE'LL HAVE TO RE-NOTIFY
15 EVERYBODY OF WHEN THE HEARING DATED IS AND I'M NOT SURE
16 WHEN THAT WILL OCCUR, BUT THAT'S THE VACANT PORTION HERE TO
17 THE NORTH AND WEST. IT'S VACANT FURTHER TO THE NORTH, IT'S
18 VACANT TO THE EAST.

19 AGAIN, OVER HERE IS THE PROPOSED CALMAT
20 OPERATION. ON A PORTION OF THE LAND THE BLM ALSO OWNS THE
21 MINERALS. THERE'S AN EXISTING ROCK CRUSHING PLANT THAT WAS
22 APPROVED BY HEARING OFFICER ABOUT A YEAR AGO. THERE'S ALSO
23 THE RASMUSSEN PROPERTY TO THE SOUTH, AND THAT IS SURFACE
24 MINING OPERATION THAT ISN'T CURRENTLY IN OPERATION, AND
25 THEY HAVE A RECLAMATION PLAN PENDING.

26 COMMISSIONER FELDMAN: COULD YOU WRAP UP PLEASE.

27 MS. MOORE: SURE. FURTHER TO THE SOUTH AND TO THE
28 WEST THERE IS A RANCH HOUSE JUST TO THE SOUTH NEAR THE BEND

1 IN SOLEDAD CANYON ROAD. NEAR THE BIGGER BEND IN SOLEDAD
2 CANYON ROAD THERE IS A MOBILE HOME PARK. IT'S CALLED THE
3 RIVER'S END TRAILER PARK, IT'S LOCATED IN THIS CORNER RIGHT
4 HERE, IT'S DOWN NEAR THE SANTA CLARA RIVER. AND FINALLY,
5 BEFORE I FORGET, A QUICK OVERVIEW OF THE MINING
6 OPERATIONS. THE MINING OPERATION WOULD OCCUR OVER 20 YEARS
7 IN A SERIES OF FOUR MINING CUTS. AND THIS EXHIBIT DOWN
8 HERE -- I'M SORRY FOR THE PEOPLE IN THE AUDIENCE. YOU
9 PROBABLY CAN'T SEE IT. THIS EXHIBIT SHOWS THE FINAL
10 CONTOURS AFTER MINING IS COMPLETE AND AFTER FINAL
11 RECLAMATION OF THE SITE.

12 COMMISSION FELDMAN: MR. CULBERTSON I HAVE A
13 QUESTION I'D LIKE TO DIRECT TO YOU FIRST. WE HAVE AT LEAST
14 ONE CASE PENDING BEFORE US, THE B CANNON CASE, AND I
15 BELIEVE THERE'S ONE OTHER THAT'S IMMINENT IF IT HAS NOT YET
16 WORKED IT'S WAY THROUGH STAFF. COULD YOU COMMENT OR
17 PERHAPS MR. GUTIERREZ YOU'D LIKE TO CHIME IN HERE. COULD
18 YOU COMMENT ON THE INTERACTION BETWEEN THESE TWO PENDING
19 CASES BECAUSE THERE'S SOME VERY CLEAR LANGUAGE BOTH IN
20 STATE STATUTE AND IN OUR COUNTY CODE ABOUT THE REQUIREMENT
21 ON US AS A COMMISSION TO NOT BE PUTTING IN PLACE
22 INCOMPATIBLE USES IN THIS PARTICULAR INSTANCE.

23 MR. CULBERTSON: I DON'T KNOW IF MR. GUTIERREZ IS
24 FAMILIAR WITH THE BEE CANYON PROJECT, HOWEVER, THIS IS A
25 PROJECT INVOLVING THE PROPERTY IMMEDIATELY NORTH OF THIS
26 SITE, AND THAT PROJECT HAS BEEN ON HOLD FOR SOME TIME. I
27 WILL BE COMING BACK TO THIS BODY UPON COMPLETION OF THE
28 REPORT SPECIFICALLY CONCERNING THE RELATIONSHIP OF THAT

1 PROJECT AND THE MINING OPERATION WHICH MUST BE SUBMITTED
2 TOO AND REVIEWED BY THE STATE BEFORE OR THE MATTER COMES
3 BACK BEFORE YOU.

4 ESSENTIALLY, AS I UNDERSTAND IT, AND CERTAINLY
5 MR. GUTIERREZ CAN CORRECT ME IF I'M WRONG. ESSENTIALLY,
6 WHAT THE -- WHAT THE -- WHAT WE'RE CONFRONTED WITH IS A
7 SITUATION IN WHICH WE'RE LEGALLY -- WE'RE COMPELLED TO
8 PROJECT THE MINERAL RESOURCES FROM INCOMPATIBLE USES, AND
9 ALSO COMPELLED AT THE SAME TIME TO PROTECT POTENTIAL USES
10 ON THE ADJACENT PROPERTY FROM THE IMPACTS OF THE MINING
11 OPERATION. I'M SURE YOU'LL BE HEARING MORE ABOUT THIS FROM
12 THE APPLICANTS AND THEIR COUNSEL ON THIS CASE AND FROM THE
13 BEE CANYON PROPONENTS IN THE FUTURE, BUT IT'S PROBABLY
14 GOING TO BE LATE THIS FALL AT THE EARLIEST THAT YOU'LL SEE
15 THE BEE CANYON PROJECT BACK BEFORE YOU.

16 COMMISSIONER FELDMAN: THANK YOU FOR THAT. IT DOES,
17 HOWEVER, PUT THIS COMMISSION IN AN INTERESTING POSITION
18 BECAUSE THESE ARE TWO IMMEDIATELY ADJACENT VERY OBVIOUSLY
19 INCOMPATIBLE, AT LEAST TO ME VERY OBVIOUSLY, NOT SPEAKING
20 FOR THE REST OF THE COMMISSION, BUT TO ME OBVIOUSLY
21 INCOMPATIBLE USES. AND MR. GUTIERREZ, DO YOU HAVE ANYTHING
22 TO OFFER THERE AS FAR AS CONSIDERING THOSE TWO THINGS AND
23 TIMING.

24 MR. GUTIERREZ: YEAH, I DON'T HAVE TOO MUCH TO
25 OFFER. UNFORTUNATELY, I HAVEN'T HAD THE OPPORTUNITY TO
26 LOOK AT THE DOCUMENTS IN GREAT DETAIL THAT WE'VE RECEIVED
27 HERE JUST GETTING THE CALL TO SIT IN YESTERDAY, I THINK
28 YESTERDAY AFTERNOON, HOWEVER, I THINK IT WOULD BE PRUDENT.

1 I'M SURE THAT THE APPLICANT WILL ADDRESS SOME OF THOSE
2 ISSUES. SO I THINK AT THIS POINT RATHER THAN SPEAK OUT OF
3 TURN ON WHAT THE IMPACTS AND SOME OF THE RESTRICTIONS ON
4 YOUR DISCRETION MIGHT BE I WOULD LIKE TO HEAR FROM THE
5 APPLICANT.

6 COMMISSIONER FELDMAN: THANK YOU.

7 COMMISSIONER PEDERSEN: MADAM CHAIR, I WOULD JUST
8 LIKE TO FOLLOW-UP ON YOUR STATEMENT THAT I WOULD LIKE TO
9 HAVE COUNTY COUNSEL BE PREPARED TO DISCUSS IN PARTICULAR
10 THE DIFFERENCES BETWEEN THE COUNTY AND THE STATE AND THE
11 FEDERAL LAWS INVOLVING THIS SO WE HAVE THAT AVAILABLE TO
12 US.

13 MR. GUTIERREZ: YES. AND I THINK WE'RE LOOKING AT
14 THE INTERPLAY ISSUES, OUR COUNTY CODE, WE HAVE TO BE
15 CONSISTENT WITH THE STATE AND FEDERAL LAW, AND I'M JUST NO
16 PREPARED AT THIS POINT TO DISCUSS THOSE ISSUES IN GREAT
17 DETAIL.

18 COMMISSIONER PEDERSEN: I UNDERSTAND. THANK YOU.

19 COMMISSIONER FELDMAN: SO IF YOU COULD MAKE SURE AN
20 RELAY THAT TO MS. FRIES THAT WE DO EXPECT A FULL DETAIL
21 PRESENTATION.

22 MR. GUTIERREZ: AND YOU WILL HAVE IT.

23 COMMISSIONER FELDMAN: OKAY, THANK YOU.

24 MS. MOORE: MADAM CHAIRMAN. I'M SORRY, I JUST HAVE
25 A FEW MORE COMMENTS TO MAKE THAT I HAD OMITTED FROM MY
26 PRESENTATION, IT'S VERY IMPORTANT, ABOUT SMARA, THE STATE
27 SURFACE MINING AND RECLAMATION ACT.

28 COMMISSIONER TOY: YEAH, BUT LET ME FOLLOW-UP ON --

1 COMMISSIONER FELDMAN: MR. TOY HAD A QUESTION.

2 COMMISSIONER TOY: YOU KNOW, THIS QUESTION,
3 MR. GUTIERREZ, ACTUALLY CAME BEFORE, AND I DON'T KNOW IF
4 THE QUESTION OF IT SO BEING OBVIOUS, BUT BECAUSE OF THE
5 LINES, YOU KNOW, THE DIFFERENT LINES IN TERMS OF WHAT IS
6 CONSIDERED A PROTECTED AREA AND WHAT IS, YOU KNOW, GOING TO
7 BE ON THOSE PARTICULAR LINES WITH THE BEE CANYON THIS
8 QUESTION CAME UP, AND BASED ON WHAT I REMEMBER, AND
9 MR. PEDERSEN IS CORRECT, THAT A LOT OF THE RULES OR A LOT
10 OF THE ORDINANCES WHETHER IT BE COUNTY OR STATE STATES VERY
11 CLEARLY THAT SO MANY FOOT AWAY YOU CAN'T HAVE SPECIFIC
12 TYPES OF OPERATIONS, SO ALL THESE THINGS WERE DISCUSSED.
13 AND ACTUALLY, IF THERE WAS A REQUEST I'M SURE FROM THIS
14 COMMISSION THAT ASKED COUNTY COUNSEL TO COME BACK
15 RELATIVELY CLOSE TO WHETHER IT WAS THIS HEARING AND NOT
16 NECESSARILY WAITING FOR BEE CANYON BY ANTICIPATING THAT
17 THERE MAY BE, YOU KNOW, THESE -- NOT PROBLEMS AS SUCH, BUT
18 THESE SITUATIONS WOULD HAVE TO BE PUT IN TO THINK ABOUT SO
19 THAT INSTEAD OF WAITING WAY DOWN LINE AND INSTEAD OF JUST
20 WAITING FOR THE OPINIONS OF COUNTY COUNSEL WHETHER THIS
21 PARTICULAR PROJECT OR FOR BEE CANYON WE'RE LOOKING FOR
22 INDEPENDENT TYPE OF OPINION FROM YOUR OFFICE AND THAT WAS
23 THE REQUEST. I JUST WANTED TO MAKE THAT CLEAR. AND
24 HOPEFULLY WE CAN HAVE THAT, YOU KNOW, IN A TIMELY MANNER,
25 TIMELY WAY.

26 MR. GUTIERREZ: I APPRECIATE THAT COMMISSIONER AND
27 I'LL TALK TO MS. FRIES. I'LL MAKE SURE WE GET THAT
28 EXPEDITED TO YOU.

1 COMMISSIONER FELDMAN: THANK YOU. MS. MOORE.

2 MS. MOORE: YES. MY COMMENTS -- I WANTED TO TALK A
3 LITTLE BIT ABOUT SMARA THE STATE SURFACE MINING AND
4 RECLAMATION ACT. SURFACE MINING IS REGULATED BY THE
5 FEDERAL STATE AND LOCAL GOVERNMENTS. THE COUNTY IS THE
6 UNINCORPORATED AREAS' LEAD AGENCY FOR IMPLEMENTING THE
7 STATE SURFACE MINING LAW KNOWN AS SMARA OR THE SURFACE
8 MINING AND RECLAMATION ACT OF 1975. WITHIN THE COUNTY THE
9 DEPARTMENT OF REGIONAL PLANNING ADMINISTERS THE SURFACE
10 MINING PERMIT PROCESS WHICH IS WHAT WE'RE DOING TODAY. TH
11 DEPARTMENT OF PUBLIC WORKS IS RESPONSIBLE FOR MONITORING
12 THE MINING OPERATIONS AND TO MONITOR SITE RECLAMATION.
13 BOTH DEPARTMENTS WORK TOGETHER TO ENFORCE ON SURFACE MININ
14 PERMIT CONDITIONS.

15 SMARA WAS ENACTED BY THE A STATE LEGISLATURE TO
16 PROTECT AND CONSERVE MINERAL RESOURCES, WHICH INCLUDES SAN
17 AND GRAVEL, WHICH ARE VITAL TO THE DEVELOPMENT AND ECONOMY
18 OF THE STATE OF CALIFORNIA. THE CONCERN OF SMARA IS A MOR
19 REGIONAL CONCERN. THE MINERALS, SAND AND GRAVEL ARE
20 IMPORTANT TO THE AREA AS A WHOLE TO THE REGION. SMARA
21 SEEKS TO PROTECT MINERAL RESOURCES FROM ENCROACHMENT BY
22 LAND USES WHICH ARE INCOMPATIBLE TO MINING AND TO PREVENT
23 THE LOSS OF MINERAL RESOURCES DUE TO URBANIZATION. SMARA
24 IS AN ENVIRONMENTAL LAW. AND I BELIEVE I'VE RECEIVED OR
25 THE DEPARTMENT HAS RECEIVED A LETTER FROM THE DEPARTMENT C
26 CONSERVATION, DIVISION OF MINES AND GEOLOGY, THE MINING AN
27 GEOLOGY BOARD, WHICH BASICALLY SAYS SMARA IS A
28 ENVIRONMENTAL LAW, NOT A LAND USE LAW. SMARA IS A LAW

1 WHOSE GOAL IS RESOURCE CONSERVATION BALANCED WITH THE
2 PROTECTION OF ENVIRONMENTAL RESOURCES.

3 STAFF HAS PROVIDED THE COMMISSION WITH A FEW
4 HANDOUTS TODAY. IN THE ESSENCE OF TIME I WON'T GO OVER
5 THEM TOO MUCH BUT JUST TO SAY THERE'S A COUPLE OF MAPS
6 THERE THAT SHOW THE STATE DESIGNATION. SECTOR B-2 SHOWS
7 THE CLASSIFICATION OF THE SITE OF MINERAL RESOURCE ZONE 2
8 OR MRZ-2. ALSO, WE PROVIDED YOU WITH PLAN VIEW AND CROSS
9 SECTIONS FOR THE PROPOSED MINING PROJECT AND THE
10 ALTERNATIVE -- THE NORTH FINE STORAGE -- REDUCED NORTH FINE
11 STORAGE AREA ALTERNATIVE JUST TO GIVE YOU SOME IMPERATIVE
12 INFORMATION.

13 COMMISSIONER FELDMAN: THANK YOU, MS. MOORE. AT
14 THIS POINT WE WILL OPEN THE PUBLIC HEARING. WE'LL HEAR
15 FROM THE APPLICANT FIRST AND THEN WE WILL HEAR FROM
16 THOSE -- TAKE TESTIMONY FROM THOSE IN SUPPORT OF THE
17 PROJECT AND THEN WE WILL TAKE TESTIMONY FROM THOSE IN
18 OPPOSITION TO THE PROJECT. SO OUR NORMAL PROCEDURE IS
19 ANYBODY WHO WANTS TO TESTIFY ON THIS PROJECT SHOULD NOW
20 RISE TO BE SWORN IN. WHETHER YOU'RE FOR IT OR AGAINST IT
21 ANYBODY WHO WANTS TO SPEAK PUBLICLY TODAY PLEASE RISE.

22 MS. MOORE: PLEASE RAISE YOUR RIGHT HAND. DO EACH
23 OF YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU MAY GIVE IN
24 THE NOW PENDING BEFORE THE PLANNING COMMISSION SHALL BE THE
25 TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP
26 YOU GOD?

27 (THE AUDIENCE ANSWERS IN THE AFFIRMATIVE.)

28 MS. MOORE: PLEASE BE SEATED.

1 COMMISSIONER FELDMAN: THE APPLICANT AND THE
2 APPLICANT'S REPRESENTATIVES PLEASE COME FORWARD. I
3 RECOGNIZE THAT THERE ARE A LOT OF THE YOU IN THE AUDIENCE
4 TODAY. WE MAY NOT MAKE IT THROUGH EVERYBODY. WE'RE GOING
5 TO TRY AND LIMIT COMMENTS SO WE CAN HEAR FROM AS MANY OF
6 YOU AS POSSIBLE TODAY. IS IT ON? NO, IT DOESN'T SEEM TO
7 BE ON. MS. MENTION, CAN YOU CORRECT THIS MIKE PROBLEM?

8 (INTERRUPTION IN PROCEEDINGS.)

9 COMMISSIONER FELDMAN: YOUR NAME AND ADDRESS FOR THE
10 RECORD PLEASE. AND MAKE SURE YOU PLEASE SIGN IN. THERE'S
11 A SIGN-IN SHEET THERE. ABOUT HOW LONG IS YOUR
12 PRESENTATION?

13 MR. SELLS: WE NEED APPROXIMATELY 45 MINUTES.

14 COMMISSIONER TOY: WHOA.

15 COMMISSIONER FELDMAN: WE'RE GOING TO NEED TO ASK
16 YOU TO SHORTEN THAT A LITTLE BIT.

17 MR. SELLS: THAT'S WHAT WE REQUESTED FROM STAFF AND
18 THAT'S WHAT WE PREPARED.

19 COMMISSIONER VARGO: IT'S IMPORTANT.

20 COMMISSIONER FELDMAN: ALL RIGHT.

21 MR. SELLS: YES. MY NAME IS ROBERT SELLS. I'M THE
22 GENERAL MANAGER OF SOUTH DOWN CALIFORNIA AGGREGATES. MY
23 ADDRESS IS 1201 WEST GLADSTONE IN AZUZA, CALIFORNIA. MADAM
24 CHAIR, COMMISSIONERS, REGIONAL PLANNING STAFF, LADIES AND
25 GENTLEMEN, I'M PLEASED TODAY TO BE WITH OUR PROJECT TEAM
26 AND PRESENT TO YOU OUR SOLEDAD CANYON QUARRY SAND AND
27 GRAVEL MINING PROJECT. ON BEHALF OF THE PROJECT TEAM I
28 WOULD LIKE TO THANK THE REGIONAL PLANNING STAFF FOR THEIR

1 YEARS OF DEDICATION TO OUR PROJECT AND HARD WORK. THIS
2 PROJECT HAS BEEN IN THE WORKS SINCE 1989, AND WE APPRECIATE
3 THE REGIONAL PLANNING STAFF PUTTING TOGETHER HARD WORK AND
4 PUTTING FORTH THE RECOMMENDATION FOR APPROVAL FOR ONE OF
5 OUR ALTERNATIVES.

6 OUR PROJECT, AS MS. MOORE STATED EARLIER, IS TO MINE
7 56 MILLION TONS OF PORTLAND CEMENT CONCRETE GRADE SAND AND
8 GRAVEL OVER 20 YEARS. THESE MINERALS ARE OWNED BY THE U.S.
9 DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT, THE BLM.
10 IN 1989 TNC WAS A SUCCESSFUL BIDDER IN A PUBLIC BID FOR
11 CONTRACTS TO MINE THESE RESERVES. AT THIS TIME I'D LIKE TO
12 INTRODUCE THE MEMBERS OF OUR PROJECT TEAM WHO HAVE WORKED
13 HARD ON THE PREPARATION OF THE EIR IN FRONT OF YOU AND THE
14 EIS, WHICH IS THE PARALLEL DOCUMENT PUT FORTH IN FRONT OF
15 THE BLM TO ANSWER THE NATIONAL ENVIRONMENTAL PROTECTION
16 ACT. FIRST IS BRIAN MASTIN. HE IS WITH SOUTH DOWN TRANSIT
17 MIXED CONCRETE COMPANY, HE'S OUR ENVIRONMENTAL AFFAIRS
18 MANAGER. REPRESENTING CHAMBERS GROUP, WHO IS THE PREPARER
19 OF THE EIR IS THOMAS RYAN, LINDA BRODY, TODD BRODY AND
20 DR. MARGO GRISWALD. REPRESENTING ASSOCIATED TRANSPORTATION
21 ENGINEERS IS RICHARD POOL. HILLTOP GEOTECHNICAL IS MARK
22 HEWLETT. CAROL MCCASIVAN, JOHN HECK, PETER TANS ARE WITH
23 WEST COAST ENVIRONMENTAL, AND KERI SHAPIRO WITH BAKER
24 MCKENZIE IS OUR LAND USE COUNSEL. WOULD THAT GROUP PLEASE
25 STAND. THANK YOU VERY MUCH. THIS GROUP OF PROFESSIONALS
26 HAS PUT TOGETHER AN EXCELLENT EIR AND WILL BE AVAILABLE TO
27 ANSWER ANY QUESTIONS THAT THE COMMISSION MAY HAVE.

28 AT THIS TIME I'D ALSO LIKE TO INTRODUCE OUR

1 PARTNERS IN THIS PROJECT WHO HAVE COME DOWN FROM SACRAMEN
2 TO TESTIFY TODAY. THEY ARE RICHARD GRABOWSKI WHO IS DEPU
3 STATE DIRECTOR OF MINERALS, AND MITCHELL LEVERETTE PROGRA
4 LAND -- PROGRAM LEAD FOR SALABLE MINERALS. GENTLEMEN. A
5 THE END OF OUR PRESENTATION I WOULD LIKE TO REQUEST THEY I
6 ALLOWED TO PRESENT A SHORT PRESENTATION.

7 BRIEFLY I'D LIKE TO TALK TO YOU ABOUT ALL
8 ABOUT TRANSIT MIXED CONCRETE AND GIVE YOU A BRIEF OVERVIEW
9 OF OUR COMPANY. TRANSIT MIXED CONCRETE, AS MS. MOORE
10 MENTIONED, HAS BEEN IN BUSINESS IN SOUTHERN SINCE THE 1920
11 PROVIDING HIGH QUALITY CONCRETE AND AGGREGATES IN THE
12 MARKETPLACE. IT IS WHOLLY OWNED SUBSIDIARY OF SOUTH DOWN
13 INCORPORATED. WE ARE A MAJOR A SUPPLIER OF CEMENT
14 AGGREGATES AND READY MIX CONCRETE IN SOUTHERN CALIFORNIA
15 PUBLIC WORKS AND CONSTRUCTION PROJECTS. WE ARE THE LARGES
16 U.S. OWNED PORTLAND CEMENT PRODUCER. WE OPERATE 12 CEMENT
17 PLANTS IN TEN STATES. WE HAVE AGGREGATE OPERATIONS IN THE
18 ATLANTIC COAST, IN THE NORTHEAST, THE OHIO VALLEY AND HERE
19 IN SOUTHERN CALIFORNIA, AND WE OPERATE READY MIX OPERATION
20 IN OUR TWO LARGEST CEMENT MARKETS, SOUTHERN CALIFORNIA AND
21 FLORIDA. WE EMPLOYEE 3500 PEOPLE NATIONWIDE, 300 PEOPLE I
22 SOUTHERN CALIFORNIA.

23 WE ARE PROUD OF OUR ENVIRONMENTAL TRACK
24 RECORD. AT OUR LOCATIONS HERE IN SOUTHERN CALIFORNIA IN
25 THE PAST 10 YEARS OUR AZUZA QUARRY HAS RECEIVED ONE
26 COMPLAINT ON DUST WHICH WAS RECTIFIED BEFORE AN NOVE WAS
27 ISSUED, AND IN OUR MOORPARK FACILITY WHICH WE'VE OWNED
28 SINCE 1993, THERE WAS ONE NOVE RELATED TO UNLABELLED

1 BARRELS THAT WAS IMMEDIATELY HANDLED AND RECTIFIED AND THE
2 BARRELS WERE DISPOSED OF PROPERLY. VERY IMPORTANT TO SOUTH
3 DOWN IS OUR COMMUNITY INVOLVEMENT. WE AT SOUTH DOWN FIRMLY
4 BELIEVE THAT IS IMPORTANCE TO BE INVOLVED IN THE
5 COMMUNITIES WHERE OUR PRODUCTS, OUR EMPLOYEES -- WHERE OUR
6 PRODUCTS ARE USED AND OUR EMPLOYEES LIVE AND WORK.

7 AS PART OF OUR COMMUNITY INVOLVEMENT FOR THE
8 SOLEDAD CANYON PROJECT WE'VE MADE PRESENTATIONS TO THE AGUA
9 DULCE TOWN COUNCIL IN '95, '97, AND JUST RECENTLY IN 1999.
10 WE'VE ALSO HAD MEETINGS WITH VARIOUS REPRESENTATIVES IN THE
11 CITY OF SANTA CLARITA IN 1991, '95 AND '96. AS PART OF OUR
12 ONGOING PROGRAM WE HAVE RECENTLY MET WITH SOME LOCAL
13 GROUPS, INCLUDING THE SAND CANYON HOME OWNERS ASSOCIATION
14 AND THE PINE TREE COMMUNITY. WE HAVE OFFERED TO MEET WITH
15 THE MAYOR OF SANTA CLARITA AND ANY OTHER CONCERNED
16 CITIZENS' GROUPS TO TALK ABOUT OUR PROJECT. WE ALSO WILL
17 BE HAVING A PARALLEL IS EIS HEARING SOMEWHERE IN THE SANTA
18 CLARITA SOLEDAD CANYON REGION. THIS IS PART OF THE
19 ENVIRONMENTAL IMPACT STATEMENT THAT WOULD BE MONITORED BY
20 THE BLM, AND THAT HEARING WAS TENTATIVELY SET FOR EARLY
21 JUNE. OUR GOAL AS A COMPANY IS TO BE A POSITIVE,
22 RESPONSIBLE CORPORATE CITIZEN IN THE COMMUNITY.

23 NOW, HOW ARE AGGREGATES USED? A LOT OF
24 PEOPLE DON'T REALLY REALIZE THAT THEY USE AS MANY
25 AGGREGATES AS THEY DO. IN 1998 THERE WERE 2,7 BILLION TONS
26 OF CRUSHED STONE AND GRAVEL USED IN THE UNITED STATES,
27 APPROXIMATELY NINE TONS PER CAPITA. MS. MOORE MENTIONED
28 173 MILLION IN CALIFORNIA. IN L.A. COUNTY THAT NUMBER WAS

1 31 MILLION TONS IN 1998, APPROXIMATELY 3.4 TONS PER
2 CAPITA. EXTREMELY LARGE NUMBER WHEN YOU THINK ABOUT OUR
3 INDUSTRY. WHERE IS THIS AGGREGATE IS USED? SUCH AS THE
4 COLLEGE OF THE CANYONS HERE, SCHOOLS, PUBLIC BUILDINGS AND
5 HOMES.

6 THE OTHER AREA THAT'S EXTREMELY IMPORTANT TO
7 US IS OUR INFRASTRUCTURE, ROADS AND BRIDGES. THIS IS A
8 VIEW OF THE I-5 14 INTERCHANGE THAT COLLAPSED DURING THE
9 NORTHRIDGE EARTHQUAKE. A LARGE QUANTITY OF AGGREGATES WENT
10 INTO THIS PROJECT. FIFTY PERCENT OF THE TONNAGE UTILIZED
11 IN L.A. COUNTY IS CONSUMED BY PUBLIC WORKS PROJECTS AND
12 TRANS. WHERE IS AGGREGATE DEMAND GOING TO GO IN THE NEXT
13 20 YEARS? WE SEE IN 1999 OUR POPULATION IN L.A. COUNTY WAS
14 SLIGHTLY OVER NINE MILLION PEOPLE. PROJECTIONS BY THE
15 CALIFORNIA DEPARTMENT OF FINANCE IS THAT WE WILL REACH OVER
16 A 11 MILLION PEOPLE BY 2020. WHAT WILL THAT DEMAND BE?
17 THE DEMAND CURRENTLY, AS I MENTIONED EARLIER, WAS 31
18 MILLION TONS IN 1999 AND IS PROJECTED TO GROW TO 40 MILLION
19 TONS PER YEAR BY THE YEAR 2020. AGAIN, NOW WHAT'S GOING TO
20 HAPPEN WITH THE DEMAND AND THE SUPPLY? WE SEE THE SAME
21 DEMAND CHART AT THE TOP, BUT HERE'S OUR AGGREGATE SUPPLIES
22 AS OF 1999. WE HAVE A PROJECTED 600 MILLION TONS OF
23 PERMANENT RESERVES IN L.A. COUNTY.

24 THE STATE DEPARTMENT OF CONSERVATION,
25 DIVISION OF MINES PROJECTS THAT BY THE YEAR 2017 L.A.
26 COUNTY WILL HAVE USED UP THEIR CURRENT PERMITTED RESERVES.
27 TRANSPORTATION COST IS A KEY TO OUR COMMODITY. MS. MOORE
28 MENTIONED THIS IN HER PRESENTATION. WE'RE DEALING WITH A

1 TON OF STONE, 2,000 POUNDS, WHICH SELLS AT THE QUARRY
2 AROUND \$6.50 A TON, SLIGHTLY OVER THREE CENTS A POUND,
3 PRETTY GOOD DEAL. PUT THAT ON A TRUCK, TRANSPORT IT 30
4 MILES YOU'VE, INCREASED THE COST BY 50 PERCENT.

5 AT THIS TIME I'M GOING TO REFER TO A COUPLE
6 OF DIFFERENT CHARTS. HOW ABOUT I SIT DOWN SO YOU CAN HEAR
7 ME AND I CAN POINT AT THE SAME TIME. I'M GOING TO BE
8 REFERRING TO THIS CHART HERE WHICH SOUTH DOWN HAS PUT
9 TOGETHER, AND THIS CHART HERE WHICH IS A BLOW-UP OF THE
10 CHART WHICH YOU ALL LOOKED AT EARLIER PROVIDED BY THE
11 DIVISION OF MINES AND GEOLOGY. FIRST OF ALL, I'D LIKE TO
12 MAKE A SHORT DEFINITION. RESOURCES ARE SHOWN ON THIS MAP,
13 AND I APOLOGIZE TO THE CROWD, BUT THEY'RE SHOWN IN RED ON
14 THIS MAP. THESE ARE AREAS THAT HAVE BEEN IDENTIFIED BY THE
15 DIVISION OF MINES AND GEOLOGY WHERE NATURALLY OCCURRING
16 SAND AND GRAVEL AND CRUSHED STONE ARE AVAILABLE TO MAKE
17 PORTLAND CEMENT CONCRETE. EXTREMELY IMPORTANT, BUT IT'S
18 NOT EVENLY DIVIDED THROUGHOUT THE COUNTY. L.A. COUNTY HAS
19 LIVED OVER THE PAST HUNDRED YEARS ON THE IRWINDALE AZUZA
20 DEPOSITS AND ON THE SUN VALLEY DEPOSITS BOTH HIGH QUALITY
21 SAND AND GRAVEL DEPOSITS. AS A MATTER OF FACT THE
22 IRWINDALE AZUZA DEPOSIT HAS BEEN DESCRIBED AS ONE OF THE
23 BEST IN THE WORLD, IT'S OVER 500 FEET THICK, AND HAS
24 LITERALLY BUILT A MAJOR PORTION OF L.A.

25 MS. MOORE MENTIONED WE HAVE AN OPERATION AT
26 AZUZA, BUT THESE DEPOSITS, AS THE PREVIOUS SLIDE INDICATED,
27 ARE DWINDLING. THE RESERVES AND THE RESOURCES HAVE BEEN
28 ENCROACHED UPON BY URBAN GROWTH AND ARE SLOWLY RUNNING OUT

1 OF MATERIAL. WHERE ARE THE OTHER RESOURCES THAT L.A.
2 COUNTY CAN TURN TO? AS PICTURED HERE IN RED ARE REGIONS
3 WITHIN THE COUNTY REPRESENTING SOME 10.9 BILLION TONS OF
4 AVAILABLE MINERALS TO BE MINED. HOWEVER, LET'S TALK ABOUT
5 THOSE MINERALS FOR JUST A MINUTE. 1.8 MILLION -- OR EXCU
6 ME, 1.8 BILLION OF THOSE TONS OCCUR IN SIGNIFICANT ECOLOG
7 AREAS, SUCH AS THE SANTA FE DAMN, THE HANSEN DAMN AND THE
8 SANTA CLARITA RIVER. ANOTHER 5.3 BILLION TONS OF THOSE
9 RESERVES ARE IN THE ANGELES NATIONAL FOREST JUST BELOW OUR
10 SOLEDAD CANYON PROJECT SITE. WE'RE COMPETING LAND USE FOR
11 WILDLIFE, PLANT LIFE, RECREATION, SCENIC BEAUTY. WE'RE IN
12 COMPETITION FOR THOSE MINERALS. ANOTHER AREA THAT IS
13 EXTREMELY IMPORTANT TO THE COUNTY IS THE AREA OF PALMDALE.
14 PALMDALE REPRESENTS 1.1 BILLION TONS OF POTENTIAL SAND AND
15 GRAVEL RESOURCES THAT COULD BECOME PERMANENT RESERVES.
16 THAT LEAVES THE REMAINDER, A MAJORITY OF THE REMAINDER OF
17 RESOURCES, IN THE SOLEDAD CANYON REGION. ESTIMATES ARE
18 THERE'S 1.6 BILLION TONS REMAINING IN THE SOLEDAD CANYON
19 AREA.

20 THE REASONS WE WOULD -- WE APPROACHED THE
21 COMMISSION TO APPROVE OUR PROJECT THE PROJECT WILL SERVE A
22 A -- WILL SERVE TO -- WILL SERVE A DEMONSTRATED NEED FOR
23 AGGREGATE MATERIAL IN L.A. COUNTY. THE PROJECT IS IN A
24 GOOD LOCATION, IT HAS BEEN A PREVIOUSLY MINED AND HAS BEEN
25 DESIGNATED AS REASONABLY SIGNIFICANT BY THE STATE MINES AND
26 GEOLOGY BOARD. THE REGIONAL SIGNIFICANCE -- REGIONALLY
27 SIGNIFICANT DEFINITION BY THE STATE MINES AND GEOLOGY BOARD
28 IS IN ORDER FOR GOVERNMENT AUTHORITIES LIKE YOURSELVES TO

1 RECOGNIZE THAT MOTHER NATURE DIDN'T SPREAD THIS STUFF
2 EQUALLY ACROSS THE COUNTY AND THAT THESE RESOURCES NEED TO
3 BE TAKEN INTO ACCOUNT IN YOUR LAND USE PLAN. WITHOUT
4 LOW-COST CONSTRUCTION MATERIALS THE COST OF CONSTRUCTION,
5 WHICH IS ALREADY HIGH IN L.A. COUNTY, WILL GROW EVEN
6 FURTHER.

7 IT IS IMPORTANT IS THAT IN OUR REGION WE
8 UNDERSTAND THAT THE NEXT SOURCE OF AGGREGATE IS LANCASTER
9 PALMDALE WHICH IS 25 MILES FURTHER FROM THE MARKETPLACE IN
10 L.A. APPROVAL OF THE PROJECT WILL AVOID THE ENVIRONMENTAL
11 IMPACTS CAUSED BY IMPORTING AGGREGATE FROM GREATER
12 DISTANCES. THIS IS ONE OF THE MOST CRITICAL ISSUES FACING
13 THIS COMMISSION AND THE AGGREGATE INDUSTRY IS HOW DO WE
14 RESPOND TO THE PUBLIC'S DEMAND FOR AGGREGATE IN THE COMING
15 YEARS. IT'S EXTREMELY IMPORTANT THAT OUR PROJECT, IF THE
16 56 MILLION TONS IS NOT APPROVED, THE COMMISSION REALIZES
17 THAT THAT MATERIAL WILL COME FROM THE LANCASTER REGION.
18 THE COST IS 100 MILLION ADDITIONAL TRUCK MILES ON THE
19 ANTELOPE FREEWAY. IT IS \$178 MILLION IN ADDITIONAL COST.
20 FIFTY PERCENT OF THAT WILL GO TO THE PUBLIC WORKS AND CAL
21 TRANS PROJECTS.

22 AT THIS POINT I WOULD LIKE TO RECOGNIZE THE
23 PROPONENTS THAT HAVE COME HERE TODAY. WE'VE GOT SEVERAL
24 PEOPLE HERE ON OUR BEHALF. I'D JUST LIKE THAT GROUP TO
25 STAND AND BE RECOGNIZED. INDIVIDUALS WILL BE SPEAKING
26 LATER IN OUR A FAVOR. IF THAT GROUP COULD STAND. INCLUDED
27 IN THAT ARE SOME OF OUR EMPLOYEES. THANK YOU ALL VERY
28 MUCH. AT THIS POINT IN TIME I'D LIKE TO TURN THE

1 PRESENTATION OVER TO BRIAN MASTIN WHO IS OUR ENVIRONMENTAL
2 AFFAIRS MANAGER.

3 COMMISSIONER FELDMAN: YOUR NAME AND ADDRESS FOR THE
4 RECORD PLEASE.

5 MR. MASTIN: MY NAME IS BRIAN MASTIN. THAT'S
6 B-R-I-A-N M-A-S-T-I-N. ADDRESS IS 1201 WEST GLADSTONE,
7 AZUZA, CALIFORNIA. THANK YOU FOR A CHANCE TO SPEAK TODAY.
8 I'M JUST GOING TO GO OVER A FEW BASIC POINTS OF THE
9 PROJECT. JULIE'S DONE AN EXCELLENT JOB OF INTRODUCTION.

10 COMMISSIONER FELDMAN: PLEASE PULL THE MIKE TOWARDS
11 YOU JUST A LITTLE. I ASSUME YOU STILL HAVE MORE OF YOUR
12 POWER PLANT PRESENTATION.

13 MR. MASTIN: YES, WE DO.

14 COMMISSIONER FELDMAN: PLEASE LET US KNOW SO WE CAN
15 TURN THE LIGHTS BACK ON.

16 MR. MASTIN: OKAY.

17 COMMISSIONER FELDMAN: THANK YOU.

18 MR. MASTIN: I'LL BE SPEAKING JUST ON THE BASIC
19 POINTS OF THE PROJECT AND THE TOM WILL TALK ABOUT THE
20 ENVIRONMENTAL IMPACTS AND MITIGATIONS. THE PURPOSE AND
21 OBJECTIVES OF THE PROJECT ARE TO PROVIDE CONSTRUCTION
22 MATERIALS FOR SANTA CLARITA VALLEY AND THE GREATER LOS
23 ANGELES AREA, INCLUDING THE SAN FERNANDO VALLEY AND TO
24 DEVELOP THESE REGIONALLY SIGNIFICANT CONSTRUCTION AGGREGATE
25 RESOURCES. WE ALSO WANT TO PROVIDE A READY MIX CONCRETE
26 SOURCE FOR THE SANTA CLARITA VALLEY AND FULFILL THE
27 CONTRACTS THAT WE'VE ENTERED INTO WITH THE U.S. DEPARTMENT
28 OF INTERIOR BUREAU OF LAND MANAGEMENT. ANOTHER ASPECT OF

1 OUR PROJECT WILL BE THAT WE WILL PROVIDE FOR THE
2 RECLAMATION OF THE SITE WHICH WAS PREVIOUSLY MINED.

3 NOW, BOB SELLS HAD SHOWN SOME PICTURES OF
4 FAIRLY MASSIVE CONCRETE STRUCTURES LIKE THE FREEWAY
5 INTERCHANGES, AND THOSE STRUCTURE AS WELL AS ALL CONCRETE
6 STRUCTURES TAKE UP A PHYSICAL VOLUME OF SPACE. AND IN
7 ORDER TO BUILD THESE STRUCTURES THAT WE NEED TO HAVE FOR
8 SOCIETY WE HAVE TO MINE MATERIALS BECAUSE THE AGGREGATES,
9 CONSTRUCTION AGGREGATES, CONSUME THE MAJORITY OF THE AMOUNT
10 OF THE PHYSICAL SPACE IN THESE FREEWAY INTERCHANGES, FOR
11 EXAMPLE, OR SCHOOLS, AS SUCH IT'S NECESSARY TO MINE
12 MILLIONS OF TONS OF MATERIAL AND THAT MATERIAL HAS TO BE
13 EXTRACTED FROM SOME LOCATION. THE ONLY OPTIONS THAT IS
14 AVAILABLE TO MINERAL MATERIAL SUPPLIERS ARE TO EITHER DIG A
15 WHOLE IN THE GROUND OR TO DIG UP A RIVER BED OR TO CONDUCT
16 A HILLSIDE MINING OPERATION. THE HILLSIDE MINING
17 OPERATIONS ARE THE MOST DIFFICULT TO CONDUCT AND THE LEAST
18 PROFITABLE OF THOSE OPTIONS.

19 TMC PROPOSES TO IMPLEMENT THIS OUT OF STREAM
20 HILLSIDE MINING OPERATION WHICH WILL PRODUCE AN AVERAGE OF
21 A 1.4 MILLION TONS PER YEAR FOR THE FIRST TEN YEARS AND 4.2
22 MILLION TONS PER YEAR DURING THE LAST 10 YEARS. NEXT SLIDE
23 PLEASE. OH, I'M SORRY, I'M SORRY. LET'S GO BACK. OUR
24 ANTICIPATED OPERATING SCHEDULE IS BETWEEN NOW 5 A.M. AND 10
25 P.M. FOR MINING AND PROCESSING, AND 24 HOURS A DAY FOR
26 SHIPPING IN PART TO SATISFY THE NIGHTTIME CONSTRUCTION
27 REQUIREMENTS OF CAL TRANS ON THE FREEWAYS. NOW, IN ORDER
28 TO REMOVE THIS VOLUME OF MATERIAL IT'S NECESSARY TO MINE --

1 YOU WANT TO GO TO THE BLUE SLIDE -- IN THE AREA OUTLINED IN
2 BLUE. AND I THINK JULIE HAS DONE A PRETTY GOOD JOB OF A
3 BASIC INTRODUCTION. I KNOW SHE HAS A NUMBER OF BLUEPRINTS
4 ON THE LEFT OF THE SCREEN THAT SHE'S GOT COLORED IN YELLOW
5 DETAILING THE DIFFERENT CUTS, SO IN INTEREST OF TIME I WILL
6 JUST SKIP AHEAD, AND IF WE HAVE SOME QUESTIONS WE'LL BE
7 HAPPY TO TAKE WHATEVER TIME THE A COMMISSION WANTS IN TERMS
8 OF CUTS, AND FILLS, AND THOSE TYPES OF THINGS.

9 I SHOULD POINT OUT IF YOU JUST SKIP TO THE
10 NEXT ONE, PETER. I WOULD LIKE TO KNOW THAT -- BACK ONE.
11 THIS ONE. I WOULD LIKE TO POINT OUT THAT THE PROJECT
12 BOUNDARY IS IN RED AND THE WATER DEVELOPMENT OCCURS SOUTH
13 THE OF THE BOUNDARY IN THE SANTA CLARA RIVER WITH WELLS
14 WHICH WILL EXTRACT WATER FROM THE UNDERFLOWS OF THE SANTA
15 CLARA RIVER AND SUPPLY THE PROJECT. THIS PHOTO SHOWS THE
16 AREA OF 45 ACRES OR THEREABOUTS WHICH WAS DISTURBED FROM
17 PREVIOUS MINING OPERATIONS. THERE IS NO CURRENT FINANCIAL
18 ASSURANCE OR RECLAMATION PLAN IN PLACE, BUT IF TMC'S
19 PROJECT GOES FORWARD THE ENTIRE SITE WILL BE CLAIMED, AND
20 WE'LL HAVE COMPUTER SIMULATION OF THE SITE AFTER
21 RECLAMATION WHICH WILL COME UP IN A MOMENT.

22 WE'LL GO TO THE NEXT SLIDE, PETER AND
23 CONTINUE ON, THEY'VE ALREADY SEEN THAT ONE. GREAT. THIS
24 SLIDE SHOWS THE INITIAL START UP OF MINING OPERATIONS, AND
25 WHAT WE'D LIKE TO POINT OUT IS THIS SLID HERE IS THE
26 RIDGELINE THAT RELATES TO THE TOP OF THE SITE, AND THIS IS
27 THE PROCESSING AREA, AND STOCK PILING AREAS, AND THE MINING
28 AREAS THAT ALL OCCUR ON THE SOUTH SIDE OF THE RIDE. THIS

1 IS THE NORTH FINE ACCESS ROAD AND THESE ARE DESILTING
2 BASINS WHICH ARE PUT IN PLACE TO CONTROL STORM WATER
3 RUNOFF. IT'S IMPORTANT TO NOTE THAT ALL THE MINING,
4 EXCAVATING, PROCESSING, STOCK PILING, SHIPPING OPERATIONS
5 ALL OCCUR ON THE SOUTH SIDE OF THE RIDGE THROUGHOUT THE
6 LIFE OF THE PROJECT AWAY FROM THE ANTELOPE FREEWAY.

7 LET'S GO TO THE NEXT ONE. THE PROCESS WHICH
8 THE MINING IS DONE THE MATERIAL IS EXCAVATED BY FRONT END
9 LOADERS OR HYDRAULIC SHOVELS AND LOADED INTO HAUL TRUCKS
10 FOR ON-SITE HAULAGE TO THE PROCESSING PLANT WHERE WASHING
11 AND SORTING OCCURS WHICH TRANSFORMS THE MINED MATERIALS
12 INTO SAND AND GRAVEL PRODUCTS. THOSE PRODUCTS ARE STOCK
13 PILED ON THE GROUND AND LATER LOADED INTO HIGHWAY HAUL
14 TRUCKS FOR TRANSPORTATION TO THE MARKETPLACE. THIS IS A
15 COMPUTER SIMULATION OF THE EXISTING CONDITIONS ON-SITE.
16 THIS IS THE RIDGELINE ON THE TOP, THIS IS THE EXISTING
17 DISTRIBUTED AREA ON THE SIDE. GO AHEAD TO THE NEXT ONE.
18 THIS IS THE COMPUTER SIMULATION OF THE TOPOGRAPHY OF THE
19 SITE AT THE END OF MINING. THE MINING CUTS OCCURRED ON THE
20 SOUTH SIDE OF THE RIDGE. THE EXCESS OF NATURAL FINES HAVE
21 BEEN DEPOSITED, COMPACTED, AND ENGINEERED FILLS AND
22 REVEGETATED AS IT IS BUILT ON THE NORTH SIDE OF THE RIDGE.
23 THIS IS WHERE CUT THREE WOULD BE AND IT HAS BEEN CUT DOWN
24 AND THE RIDGE HAS BEEN REBUILT WITH EXCESS NATIVE FINES.

25 THIS IS A VIEW FROM A LOCATION ABOVE THE
26 ANTELOPE VALLEY FREEWAY LOOKING DIRECTLY ACROSS TO THE
27 FEDERAL CONTRACT AREA ACROSS BEE CANYON. THIS IS BEE
28 CANYON HERE, THIS IS ANTELOPE VALLEY FREEWAY HERE, AND THIS

1 IS THE BASIC EDGE OF THE FEDERAL CONTRACT AREA ALONG HERE.
2 THIS IS A VIEW SIMULATION OF THE NORTH FINE STORAGE AREA AT
3 COMPLETION OF THE FINAL RECLAMATION WHEREIN THESE RAVINES
4 HAVE BEEN HAVE BEEN FILLED WITH COMPACTED FINES AND
5 REVEGETATED AND THE SITE HAS BEEN RETURNED TO AN OPEN SPACE
6 CONDITION. THE RIDGELINE, THIS LINE AT THE TOP, IS WHERE
7 THE RIDGELINE HAD BEEN PRIOR TO THE OPERATION. UNDER THE
8 CONCEPT PLAN THE RIDGELINE WILL BE REDUCED AN AVERAGE OF
9 125 FEET IN ELEVATION. IT'S ABOUT A 700-FOOT TALL RIDGE.
10 THE MAXIMUM POINT FROM THE HIGHEST POINT TO THE LOWEST
11 POINT WAS A REDUCTION OF 200 FEET OF ELEVATION.

12 NEXT SLIDE. THE BENEFITS OF THE PROJECT IS
13 THIS IS A FULLY MITIGATED PROJECT. THE ALL FEASIBLE
14 MITIGATIONS HAVE BEEN IMPLEMENTED, AND THE WE HAVE REDUCED
15 A IMPACTS TO THE BELOW SIGNIFICANCE ON ALL OF THE IMPACTS
16 THAT COULD BE REDUCED TO LOW SIGNIFICANCE. TOM WILL GO
17 INTO DETAILS ON THAT. WE ARE LOCATED IN AN EXISTING MINING
18 AREA. THE EXISTING AREA THAT IS DISTURBED ON THE SITE WILL
19 BE RECLAIMED AS PART OF OUR OPERATION WHEN WE ARE OUT OF
20 THE STREAM.

21 NOW, YOU ARE -- IN THE STAFF REPORT THAT WAS
22 PRESENTED TO YOU THE STAFF HAS RECOMMENDED THAT THE
23 COMMISSION INDICATE ITS INTENT TO APPROVE AN ALTERNATIVE TO
24 THE PROJECT OTHER THAN TMC'S PROPOSED PROJECT, AND THAT
25 ALTERNATIVE IS ENTITLED THE REDUCED NORTH FINE STORAGE
26 AREA. IT IS LESS EFFICIENT ALTERNATIVE FOR US BECAUSE OF
27 THE FACT THAT WE NEED TO MINE MATERIAL IN CUT THREE, THE
28 ORIGINAL PLAN CUT THREE, AND HAUL IT TO THE PROCESSING

1 PLANT WHEREAS IN THE ORIGINAL PLAN WE COULD MINE MATERIAL
2 WHICH IS CLOSEST TO THE PLANT FIRST. UNDER THIS REDUCED
3 NORTH FINE STORAGE AREA ALTERNATIVE THE CUT THREE WILL BE
4 DEEPENED AND A PLACE WILL BE MADE TO PROVIDE FOR ADDITIONAL
5 STORAGE OF THE EXCESS NATIVE FINES, WHICH WILL BE STORED IN
6 THE DEEPER PORTIONS OF CUT THREE, AND THE NORTH FINE
7 STORAGE AREA WILL NOT NEED TO BE CONSTRUCTED IN THE
8 BEGINNING OF THE SITE AS UNDER THE CONCEPT PLAN, BUT CAN BE
9 CONSTRUCTED IN YEARS -- WELL, THE LAST FIVE YEARS OF THE
10 PROJECT INSTEAD OF THE DURATION OF THE ENTIRE PROJECT AS
11 WAS ORIGINALLY PROPOSED.

12 ALSO, THE VOLUME OF THE A NORTH FINE STORAGE
13 AREA WILL BE REDUCED BY ABOUT 50 PERCENT BECAUSE MORE
14 MATERIAL WILL BE STORED ON THE SOUTH SIDE OF THE RIDGE AND
15 LESS OF THE -- LESS DESIRABLE MATERIAL WILL NEED TO BE
16 MINED BECAUSE WE'RE MINING DEEPER IN THE IMBEDDED
17 MATERIAL. THE RIDGELINE WILL BE REDUCED BY ABOUT 50 TO 80
18 FEET LESS OR ANOTHER WAY OF SAYING IT WILL BE REDUCED BY --
19 ELEVATION WILL DROP BY ABOUT 80 FEET RATHER THAN 125 FEET
20 ON AVERAGE. THIS IS A SIMULATION OF THE REDUCED NORTH FINE
21 STORAGE AREA ALTERNATIVE TAKEN FROM A POINT WHICH WAS AS
22 CLOSE AS WE COULD GET TO THE PREVIOUS POINT WE HAD. THIS
23 IS THE FILLED IN AREA OF THE REDUCED NORTH MINE STORAGE
24 AREA AFTER RECLAMATION, AND IT'S GOT ADDITIONAL
25 RE-CONTOURING IN HERE AND ADDITIONAL REVEGETATING. NOW,
26 THAT CONCLUDES MY PRESENTATION OF THE PROJECT, AND I'D LIKE
27 TO TURN IT OVER TO TOM RYAN WHO IS THE MANAGER OF THE EIR
28 DEVELOPMENT FOR CHAMBERS GROUP. WE'RE GOING TO BE

1 AVAILABLE FOR QUESTIONS AFTER.

2 MR. RYAN: YES. THANK YOU, BRIAN. MADAM CHAIR,
3 MEMBERS OF THE PLANNING COMMISSION, MY NAME IS TOM RYAN
4 REPRESENTING THE CHAMBERS GROUP. THAT'S 17671 COWAN
5 AVENUE, SUITE 100 IN IRVINE, CALIFORNIA. I'D LIKE TO TALK
6 ABOUT A THREE ASPECTS RELATED TO THE EIR TODAY. FIRST I'D
7 LIKE TO JUST TALK A LITTLE BIT ABOUT THE ENVIRONMENTAL
8 PROCESS TO DATE AND WHAT HAS OCCURRED, AS WELL AS INDICATE
9 SOME OF THE AGENCIES THAT WILL ALSO NEED TO GIVE APPROVALS
10 AND PERMITS FOR THIS PROJECT OUTSIDE OF THE COUNTY, THEN
11 I'D LIKE TO PROVIDE JUST GIVE A VERY BROAD OVERVIEW OF THE
12 TECHNICAL ISSUES DISCUSSED IN THE EIR, AND GIVE THE
13 DOCUMENTS, CONCLUSIONS WITH RESPECT TO THE SIGNIFICANCE TO
14 THE IMPACT. AND THEN FINALLY, I'D LIKE TO TALK, AS TIME
15 PERMITS, IN A LITTLE BIT MORE DETAIL ABOUT SEVERAL OF THE
16 KEY ISSUES, AND THOSE I'D LIKE TO TOUCH ON WOULD BE AIR
17 QUALITY, NOISE, TRAFFIC AND ALTERNATIVES.

18 THE ENVIRONMENTAL IMPACT REPORT FOR THE
19 PROJECT HAS BEEN PREPARED TO COMPLY WITH THE CALIFORNIA
20 ENVIRONMENTAL QUALITY ACT OR SEQUA. THE EIR HAS BEEN
21 PREPARED UNDER THE COUNTY'S DIRECTION OF REGIONAL PLANNING
22 AND WHICH HAS BEEN INVOLVED IN ALL ASPECTS OF THE SEQUA
23 PROCESS TO DATE. THE PROCESS LEADING TO THE DRAFT EIR HAS
24 INCLUDED SEVERAL IMPORTANT STEPS, AND ONE OF THOSE STEPS IS
25 THE COMPLETION OF THE SEQUA INITIAL STUDY AND ISSUANCE OF A
26 NOTICE OF PREPARATION OF A DRAFT EIR. THE NOTICE OF
27 PREPARATION WAS ISSUED IN 1991, WAS SENT TO ABOUT 15
28 DIFFERENT AGENCIES AND THE STATE CLEARING HOUSE AND WAS

1 ANSWERED BY 13 AGENCIES. UNDER SEQUA THE INITIAL STUDY AND
2 NOTICE OF PREPARATION ARE THE PRINCIPLE METHODS FOR
3 DETERMINING THE SCOPE OF TECHNICAL STUDIES TO BE UNDERTAKEN
4 IN AN EIR.

5 THIS PROJECT HAS ALSO BEEN THE SUBJECT OF
6 REVIEW BY THE SIGNIFICANT ECOLOGICAL AREA TECHNICAL
7 ADVISORY COMMITTEE OR SETAC. A PORTION OF THE PROJECT SITE
8 IS LOCATED WITHIN SEA NUMBER 23, HOWEVER, THE ONLY PROJECT
9 FACILITIES WITHIN THE SEA ARE WATER PRODUCTION FACILITIES.
10 NO MINING OR PROCESSING FACILITIES WILL BE CONDUCTED OR
11 LOCATED IN THE SEA. SETAC REVIEWED THE PROJECT ON MAY 2ND,
12 1994, AND ALL COMMENTS BY THE COMMITTEE WERE ACTED ON AND
13 INCLUDED IN THE SUBSEQUENT DRAFTS OF THE ENVIRONMENTAL
14 IMPACT REPORT TO THE SATISFACTION OF DR. KOOTNIK (PHONETIC)
15 OF THE COUNTY DEPARTMENT REGIONAL PLANNING STAFF WHO
16 ACTUALLY CHAIRED THAT SETAC MEETING.

17 THERE HAVE BEEN TWO SEPARATE FORMAL COUNTY
18 DEPARTMENTAL REVIEWS OF THE EIR IN 1995 AND 1998. REVIEWED
19 COMMENTS BY THE VARIOUS COUNTY DEPARTMENTS HAVE BEEN
20 CONSIDERED AND INCORPORATED AS APPROPRIATE TO THE
21 SATISFACTION OF THE COUNTY DEPARTMENT OF REGIONAL PLANNING
22 STAFF. AND LASTLY, THE EIR HAS UNDERGONE A VIRTUALLY
23 CONTINUOUS UPDATING AND REVISION SINCE IT WAS BEGUN IN
24 1991, AND THAT WOULD INCLUDE REVISION TO THE GEOTECHNICAL
25 REPORTS, AS WELL AS A COMPLETELY NEW TRAFFIC STUDY TO MEET
26 THE COUNTY'S 1997 GUIDELINES. COUNTY'S REVIEW PROCESS HAS
27 ALSO INCLUDED SEPARATE AN COMPREHENSIVE REVIEW OF THE
28 MINING RECLAMATION PLAN BY COUNTY PUBLIC WORKS. THE

1 DETAILED REVIEW OF THE PROPOSED MINING PLAN HAS BEEN
2 ACCOMPLISHED BY THESE VARIOUS DEPARTMENTS. THEY HAVE MADE
3 COMMENTS ON PROJECT DESIGN, ON MINING CUTS, ON SLOPE
4 CONFIGURATIONS, MINE PHASING AND OTHER ASPECTS OF THE
5 PLAN. THEY'VE ALSO REVIEWED THE DETAILED OR THE CONCEPT
6 HYDROLOGY AND DRAINAGE PLAN, INCLUDING A REVIEW OF RUNOFF
7 QUANTITIES UNDER VARIOUS SITE CONDITIONS. THEY'VE ALSO
8 EVALUATED THE PRELIMINARY DESIGN OF THE DRAINAGE AND DEBRIS
9 BASINS.

10 PUBLIC WORKS HAS ALSO REVIEWED THE
11 GEOTECHNICAL REPORTS AND EVALUATED THE SLOPE STABILITY OF
12 THE MINING CUTS AND FILLS IN THE NORTH FINE STORAGE AREA.
13 THE HAVE STIPULATED SPECIFIC FACTORS OF SAFETY TO BE
14 ACHIEVED ON THE MINING SLOPES WHICH HAVE INCORPORATED INTO
15 THE GEOTECHNICAL REPORTS AND THE EIR. AND PUBLIC WORKS HAS
16 ALSO REVIEWED AND APPROVED ASPECTS OF THE PROJECT'S
17 FINANCIAL ASSURANCE AND RECLAMATION BONDING. IF APPROVED
18 BY THE COUNTY THERE ARE SEVERAL RELATED ENVIRONMENTAL
19 PROCESSES AND PERMITS THAT THE PROJECT MUST GO THROUGH
20 BEFORE IT CAN BE IMPLEMENTED. THESE PROCESSES OCCUR ON
21 LOCAL AND REGIONAL LEVEL, ON A STATE LEVEL AND ON A FEDERAL
22 LEVEL. THE LOCAL AND REGIONAL APPROVALS INCLUDE ADDITIONAL
23 REVIEW BY THE PLANNING DEPARTMENT OF PUBLIC WORKS. PUBLIC
24 WORKS HAS SPECIFICALLY STATED THEY WOULD NEED TO REVIEW AND
25 APPROVE THE FINAL DESIGN OF THE DEBRIS BASINS.

26 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
27 WILL REVIEW APPLICATIONS FOR PERMITS TO OPERATE ALL THE
28 STATIONARY EQUIPMENT ON THE SITE. THE DISTRICT WILL ALSO

1 REVIEW A FUGITIVE DUST CONTROL PLAN THAT WILL SPELL OUT
2 SPECIFIC MEASURES THE PROJECT NEEDS TO IMPLEMENT TO CONTROL
3 DUST ON A MINING SITE. THE LOS ANGELES COUNTY FIRE
4 DEPARTMENT WILL REVIEW AND APPROVE THE USE AND THE STORAGE
5 OF ANY HAZARDOUS MATERIALS ON-SITE. AT PRESENT THE ONLY
6 HAZARDOUS MATERIALS IN VISION TO BE STORED AT THE SITE
7 INCLUDED DIESEL FUEL AND THE OTHER RELATED PETROLEUM
8 PRODUCTS USED TO SERVE THIS MACHINERY.

9 THE FUTURE PROCESSES THAT ARE REQUIRED ON A
10 STATE LEVEL INCLUDE APPROVAL OF THE RIGHT TO APPROPRIATE
11 PROJECT WATER SUPPLY FROM THE SANTA CLARA RIVER UNDERFLOW.
12 THE APPROVAL OF A PERMIT TO APPROPRIATE WATER IS A PUBLIC
13 PROCESS THAT CONSIDERS THE RIGHTS OF EXISTING USERS AND
14 POTENTIAL USERS. THE PERMIT WOULD BE ISSUED BY THE
15 CALIFORNIA STATE WATER RESOURCES CONTROL BOARD DIVISION OF
16 WATER RIGHTS, AND IN ADDITION THE REGIONAL WATER QUALITY
17 CONTROL BOARD IN THE LOS ANGELES REGION WILL NEED TO ISSUE
18 WATER QUALITY CERTIFICATION UNDER SECTION 401, AND WILL
19 GIVE VARIOUS NPDS PERMITS FOR STORM WATER DISCHARGE.

20 CALIFORNIA DIVISION OF MINES AND GEOLOGY IS A
21 STATE AGENCY IMPLEMENTING SMARA. YOU'VE HEARD A LITTLE
22 BITS ABOUT THAT ALREADY, SO I'M GOING TO SKIP DOWN TO
23 CALIFORNIA DEPARTMENT OF FISH AND GAME. THERE ARE THREE
24 MINOR INTERMITTENT DRAINAGES ON THE SITE WHICH ARE SUBJECT
25 TO ISSUANCE OF A SECTION 1603 STREAM BED ALTERATION UNDER
26 THE STATE FISH AND GAME CODE. THE 1603 PERMIT PROCESS
27 WILL, OF COURSE, WILL OCCUR SUBSEQUENT TO COUNTY APPROVAL.

28 SEVERAL RELATED APPROVALS OCCUR ON THE

1 FEDERAL LEVEL. AT LEAST ONE OF THESE HAS ALREADY OCCURRED
2 AND OTHERS MUST OCCUR BEFORE THE PROJECT CAN PROCEED. THE
3 BUREAU OF LAND MANAGEMENT'S DECISION TO MINE THE SITE IS
4 SUBJECT TO THE NATIONAL ENVIRONMENTAL POLICY ACT. IN A
5 PREVIOUS DECISION THE BLM COMPLIED WITH NEPA THE
6 ENVIRONMENTAL BY PREPARING AND ENVIRONMENTAL ASSESSMENT AND
7 ISSUING A FINDING OF NO SIGNIFICANT IMPACT FOR THE 1989
8 SALE OF 100 MILLION TONS OF SAND AND GRAVEL RESOURCES AT
9 THE PROJECT SITE. CONCURRENTLY, BLM WILL SOON ISSUE AND
10 ENVIRONMENTAL IMPACT STATEMENT UNDER NEPA FOR THE PROPOSED
11 SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT. THIS
12 DOCUMENT SATISFIES THE FEDERAL ENVIRONMENTAL REVIEW
13 REQUIREMENTS AND HAS CONTENT WHICH IS SIMILAR TO THE EIR,
14 BUT USES THE FEDERAL FORMAT.

15 THE PORTION OF THE SANTA CLARA RIVER ADJACENT
16 TO AND IN THE VICINITY OF THE PROJECT SITE CONSTITUTES
17 HABITAT FOR THE ENDANGERED UNARMORED THREE SPINE STICKLE
18 BACK. A CONSULTATION WITH THE U.S. FISH AND WILDLIFE
19 SERVICE UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT HAS
20 OCCURRED. UPON REVIEW OF A DETAILED BIOLOGICAL ASSESSMENT
21 AND COMPLETION OF THE PUBLIC NOTICE REQUIREMENTS UNDER THE
22 ENDANGERED SPECIES ACT U.S. FISH AND WILDLIFE SERVICE
23 ISSUED A BIOLOGICAL OPINION THAT THE PROJECT IS NOT LIKELY
24 TO JEOPARDIZE THE CONTINUED EXISTENCE OF THE UNARMORED
25 THREE SPINE STICKLE BACK. U.S. FISH AND WILDLIFE SERVICE
26 REVIEWED AND INCORPORATED THE APPLICANT'S PROPOSED WATER
27 PUMPING CONTINGENCY PLAN IN THE BIOLOGICAL OPINION
28 REGULATORY CONDITIONS.

1 THE THREE INTERMITTENT DRAINAGES ON THE SITE
2 ARE ALSO SUBJECT TO CONDITIONS UNDER SECTION 404, THE CLEAN
3 WATER ACT, WHICH IS ADMINISTERED BY THE U.S. ARMY CORPS OF
4 ENGINEERS. THERE ARE NO WEAPONS ON THE PROJECT SITE,
5 HOWEVER, THESE INTERMITTENT DRAINAGES ARE LIKELY TO QUALIFY
6 AS WATERS OF THE U.S. AS DEFINED BY FEDERAL LAW.
7 MODIFICATION OF THESE DRAINAGES WOULD BE SUBJECT TO CORPS
8 APPROVAL POSSIBLY UNDER THE NATIONWIDE PERMIT PROGRAM OF
9 SECTION 404, AND THIS PERMIT WOULD BE ISSUED SUBSEQUENT TO
10 THE FEDERAL EIS PROCESS.

11 NOW, MOVING OVER TO THE SCOPE OF THE EIR.
12 THE SUBJECT EIR IS REALLY WHAT WE CALL A FULL EIR. THAT IS
13 IT ANALYZES A FULL RANGE TOPICS COMMONLY COVERED IN
14 ENVIRONMENTAL IMPACT REPORTS FOR COMPLEX PROJECTS. THIS
15 SLIDE INCLUDES A LISTING OF THE ENVIRONMENTAL TOPICS OR
16 CATEGORIES THAT WERE COVERED IN THE EIR, AND THE ANALYSIS
17 HAS BEEN PREPARED DEVELOPING A SIMILAR KIND OF INFORMATION
18 ON EACH RESOURCE ISSUE. THAT SIMILAR INFORMATION INCLUDES
19 A DESCRIPTION OF THE EXISTING ENVIRONMENTAL SETTING, A
20 LISTING OF THE SIGNIFICANCE CRITERIA THAT ARE USED TO
21 DETERMINE WHETHER IMPACT IS SIGNIFICANT OR NOT SIGNIFICANT,
22 ANALYSIS OF THE IMPACTS THAT ARE SIGNIFICANT AND WHICH ARE
23 LESS THAN SIGNIFICANT. IT INCLUDES SOME MITIGATION
24 MEASURES FOR THE SIGNIFICANT IMPACTS, AND THEN INCLUDES A
25 STATEMENT AS TO THE RESIDUAL IMPACT AFTER APPLICATION OF
26 MITIGATION.

27 FOR THE PROPOSED PROJECT THE EIR CONCLUDES
28 THAT PROJECT SPECIFIC ENVIRONMENTAL IMPACTS ARE REDUCED TO

1 LESS THAN SIGNIFICANT WITH THE INCORPORATION OF THE
2 NUMEROUS MITIGATION MEASURES THAT ARE PRESENTED IN THE
3 DOCUMENT, HOWEVER, THERE ARE TWO EXCEPTIONS, AND THOSE
4 EXCEPTIONS ARE AIR QUALITY, SPECIFICALLY AIR EMISSIONS FROM
5 PROJECT OPERATIONS AND VEHICULAR SOURCES AND POTENTIAL
6 VISION IMPACTS WHICH INCLUDE CHANGES ASSOCIATED WITH
7 FILLING OF THE NORTH FINE STORAGE AREA AND LOWERING THE
8 PREDOMINANT RIDGELINE ON THE SITE. THE DOCUMENT ALSO
9 INCLUDES OTHER MANDATORY SECTIONS OF CONTENT UNDER SEQUA
10 INCLUDING ANALYSIS OF IMPACTS AND ALTERNATIVES WHICH I'D
11 LIKE TO TOUCH ON BRIEFLY IN A MOMENT.

12 AT THIS POINT I'D LIKE TO GET INTO A FEW OF
13 THE TECHNICAL ISSUES TO GIVE YOU A FEEL FOR ANALYSIS THAT'S
14 INCLUDED IN THE EIR.

15 COMMISSIONER FELDMAN: EXCUSE ME, SIR. WE'RE GOING
16 TO HAVE TO TAKE A BREAK TO GIVE THE REPORTER A BREAK, AND I
17 THINK THIS IS A GOOD STOPPING POINT.

18 MR. RYAN: OKAY.

19 COMMISSIONER FELDMAN: SO WE'RE GOING TO TAKE A
20 10-MINUTE BREAK. THANK YOU.

21 MR. RYAN: THANK YOU.

22 (A BRIEF RECESS WAS TAKEN.)

23 COMMISSIONER CAMPBELL: I'D LIKE TO CALL THE MEETING
24 BACK TO ORDER. MAY I HAVE YOUR ATTENTION PLEASE. MAY I
25 HAVE YOUR ATTENTION PLEASE. I'D LIKE TO CALL THE REGIONAL
26 PLANNING COMMISSION BACK TO ORDER. MR. PEDERSEN, I
27 UNDERSTAND THE YOU'D LIKE TO MAKE A COMMENT PRIOR TO THE --

28 COMMISSIONER PEDERSEN: BEFORE THE APPLICANT BEGINS

1 THE PRESENTATION AGAIN I JUST WANT TO MAKE A BRIEF
2 STATEMENT TO THE MANY PEOPLE WHO ARE HERE IN THE AUDIENCE
3 THIS MORNING. I WILL ASSURE THAT EVERY OPPORTUNITY WILL BE
4 GIVEN TO EVERYONE WHO WANTS TO MAKE A SPEECH, A
5 PRESENTATION AND TO SAY ANYTHING TO THIS COMMISSION. WE'RE
6 NOT GOING TO FINISH IT TODAY, AND WE WILL HAVE
7 CONTINUANCES, BUT I WANTS TO ASSURE YOU OF THE FACT THAT
8 YOU WILL BE GIVEN EVERY OPPORTUNITY TO SPEAK.

9 SECONDLY, I WANT TO TELL YOU NOW THAT I WILL
10 BE MAKING A MOTION LATER REGARDING THE FIRST CONTINUANCE OF
11 THIS PROJECT WHICH WOULD BE FOR THE OPPONENTS TO VOICE
12 THEIR CONCERNS, AND MY MOTION IS GOING TO INCLUDE THE FACT
13 THAT IT BE HELD IN THE AREA OF THE SANTA CLARITA VALLEY. I
14 THINK THAT THERE'S NO PROBLEM WITH THE APPLICANT IN THAT
15 BECAUSE IT WILL MAKE IT A LOT MORE CONVENIENT WITHOUT
16 HAVING TO COME DOWNTOWN. ALSO, IT IS OUR INTENTION TODAY,
17 I HAVE BEEN INFORMED BY THE CHAIR THAT WE WILL CONTINUE
18 UNTIL 12 TODAY. SO OBVIOUSLY WE'RE NOT GOING TO GET
19 EVERYBODY IN, BUT I WILL ASSURE YOU THAT IT WILL BE DONE
20 THE SO THAT EVERYBODY GETS AN OPPORTUNITY. AND I HAVE A
21 SERIES AT THE END OF THIS I HAVE A SERIES OF 20 QUESTIONS
22 THAT I'M GOING TO READ INTO THE RECORD AND GIVE TO THE
23 APPLICANT TO BE ANSWERED AT A LATER TIME TO SAVE TIME, AND
24 ALSO THE CHAIR HAS GIVEN ME SOME QUESTIONS TO ASK, SO I'LL
25 BE DOING THAT AT THE VERY LAST BEFORE WE ADJOURN. THANK
26 YOU.

27 COMMISSIONER CAMPBELL: THANK YOU. ALL RIGHT, THEN,
28 MR. RYAN, WOULD YOU LIKE TO PROCEED FORWARD WITH YOUR

1 PRESENTATION?

2 MR. RYAN: YES. THANK YOU VERY MUCH. I'D LIKE TO
3 WRAP UP IN MAYBE TWO, THREE MINUTES.

4 COMMISSIONER CAMPBELL: OKAY.

5 MR. RYAN: WE ARE TALKING ABOUT THE AIR QUALITY
6 ANALYSIS AND THE METHODOLOGIES USED TO ANALYZE AIR QUALITY
7 IMPACTS OF THIS PROJECT HAVE INCLUDED PROCEDURES CONTAINED
8 IN THE SOUTH COAST AIR QUALITY DISTRICT'S SEQUA AIR QUALITY
9 HANDBOOK. WE'VE USED A NUMBER OF SIGNIFICANCE CRITERIA TO
10 ANALYZE IMPACTS. THEY'VE INCLUDED DAILY THRESHOLD
11 EMISSIONS, THEY'VE INCLUDED THE CRITERIA -- EMISSIONS
12 CRITERIA THAT ARE IN VARIOUS A, Q AND D RULES AND
13 REGULATIONS, AND THEY'VE INCLUDED A ANALYSIS OF CONSISTENCY
14 WITH THE AIR QUALITY MANAGEMENT PLAN. THE PROJECT AIR
15 QUALITY ANALYSIS HAS INCLUDED AN INVENTORY OF EMISSION
16 SOURCES. THE ON-SITE SOURCES INCLUDE PROCESSING EQUIPMENT,
17 MOBILE -- STATIONARY PROCESSING EQUIPMENT, MOBILE EQUIPMENT
18 AND FUGITIVE DUST. THE OFF-SITE SOURCES INCLUDE THE
19 EMISSIONS FROM HAUL TRUCKS AND EMPLOYEE TRAFFIC.

20 WE'VE APPLIED ALL OF THE DIFFERENT KINDS OF
21 MITIGATION MEASURES THAT ARE CONTAINED IN THE AIR QUALITY
22 HANDBOOK, AT LEAST THE ONES THAT ARE APPLICABLE TO THIS
23 KIND OF PROJECT, AND HAVE DETERMINED THAT WE CAN REDUCE,
24 SIGNIFICANTLY REDUCE, EMISSIONS THAT ARE GENERATED BY THE
25 PROJECT, AND APPLICATION OF THESE MEASURES APPEARS IT ABOUT
26 A 40 TO 70 PERCENT REDUCTION COULD BE ACHIEVED. HOWEVER,
27 WE STILL DO EXCEEDS THE DAILY EMISSIONS THRESHOLD CRITERIA
28 ESTABLISHED BY AIR QUALITY MANAGEMENT DISTRICT. AND FOR

1 PHASE TWO OF THE PROJECT THOSE EMISSIONS INCLUDE NITROGEN
2 OXIDES, CARBON MONOXIDE, REACTIVE ORGANIC GASES AND PM 10.
3 AS A RESULT OF THOSE IMPACTS NOT BEING ABLE TO BE REDUCED
4 TO A LESS THAN SIGNIFICANT LEVEL WE WENT TO STEP FURTHER
5 AND DID A CONSISTENCY ANALYSIS WITH THE AIR QUALITY
6 MANAGEMENT PLAN. BASICALLY OUR ANALYSIS SHOWS THAT THE
7 EMISSIONS FOR MINING ACTIVITY ARE CONSISTENT WITH THE
8 EMISSIONS THAT ARE INCLUDED IN THE AIR QUALITY MANAGEMENT
9 PLAN FOR THAT USE, AND WE FOUND THAT THE PROJECT IS
10 CONSISTENT WITH THE AIR QUALITY MANAGEMENT PLAN.

11 PROJECT TRAFFIC ANALYSIS HAS BEEN COMPILED IN
12 ACCORDANCE WITH COUNTY PROCEDURES. FOR PHASE ONE OF THE
13 PROJECT IT WILL GENERATE ABOUT 347 OUTBOUND TRUCK TRIPS PER
14 DAY, INCREASING TO 582 OUTBOUND TRUCK TRIPS PER DAY IN
15 PHASE TWO. MOST OF THE TRAFFIC FROM THE PROJECT, THAT IS
16 ABOUT 95 PERCENT, WILL EXIT THE FACILITY AND TRAVEL WEST ON
17 SOLEDAD CANYON ROAD APPROXIMATELY TWO AND A HALF MILES TO
18 THE ANTELOPE VALLEY FREEWAY, AND FROM THERE ENTER THE
19 FREEWAY AND TRAVEL WEST ON STATE ROUTE 14. THE ONLY TRUCK
20 TRAFFIC THAT WOULD TRAVEL ON LOCAL ROADWAYS WITHIN THE
21 NEARBY COMMUNITIES WOULD BE IN THE CASE OF PRODUCT DELIVERS
22 TO A SPECIFIC CONSTRUCTION SITE.

23 COUNTY TRAFFIC AND LIGHTING DIVISION HAS
24 ESTABLISHED VARIOUS MITIGATION REQUIREMENTS FOR THE
25 PROJECT, AND BRIEFLY THESE INCLUDE THE APPLICATION OF
26 ADDITIONAL PAVEMENT THICKNESS ON SPECIFIC PORTIONS OF
27 SOLEDAD CANYON ROAD. IT INCLUDES CONSTRUCTION OF VARIOUS
28 INTERSECTION IMPROVEMENTS AT THE SOLEDAD CANYON ROAD, ROUTE

1 14 FREEWAY INTERCHANGE, AND IT INCLUDES VARIOUS PROJECT
2 INTERIM REQUIREMENTS INCLUDING EASTBOUND LEFT TURN LANE
3 INTO THE FACILITY ON SOLEDAD CANYON ROAD, AND A WESTBOUND
4 ACCELERATION LANE ON SOLEDAD CANYON ROAD FOR VEHICLES
5 EXITING THE FACILITY. THE EIR ANALYSIS INCLUDES THAT
6 TRAFFIC IMPACTS ARE MITIGATED TO A LESS THAN SIGNIFICANT
7 LEVEL.

8 NOISE FROM THE PROJECT WILL BE CREATED FROM
9 THREE PRIMARY SOURCES WHICH INCLUDE ON-SITE EQUIPMENT
10 OPERATIONS, ON-SITE BLASTING AND OFF-SITE TRANSPORTATION
11 SOURCES. FOR OPERATIONAL -- FOR TRANSPORTATION -- I'M
12 SORRY. FOR OPERATIONS AND TRANSPORTATION NOISE WE'VE USED
13 65 C MIL CRITERIA AS THE PRIMARY NOISE DETERMINER --
14 DETERMINATION OF SIGNIFICANCE. HOWEVER, WE HAVE ALSO
15 CONSIDERED AN INCREASE AMBIENT C NIL FIVE DECIBELS AS
16 WELL. FOR BLASTING EMISSIONS WE HAVE USED OFFICE OF
17 SURFACE MINING RECLAMATION AND ENFORCEMENT CRITERIA OF .5
18 INCHES PER SECOND FOR GROUND VIBRATION AND 133 DB ON A
19 LINEAR SCALE FOR AIR PRESSURE EFFECTS.

20 THE NOISE ANALYSIS IDENTIFIES POTENTIAL
21 IMPACTS ON THE RIVER'S END TRAILER PARK AND THE PROPOSED
22 BEE CANYON MOBILE HOME PARK FROM TRUCK TRANSPORTATION
23 SOURCES. THESE IMPACTS CAN BE MITIGATED BY THE
24 CONSTRUCTION OF SOUNDS WALLS ADJACENT TO THE AFFECTED
25 LOTS. THE NOISE ANALYSIS ALSO IDENTIFIES POTENTIAL
26 OPERATIONS IMPACTS TO SOME LOTS AND THE PROPOSED BEE CANYON
27 MOBILE HOME PARK, PARTICULARLY DURING THE MINING OF CUT
28 THREE. THESE IMPACTS CAN BE MITIGATED BY THE CREATION OF

1 BERMS AS SOUND CONTINUATION STRUCTURES. FOR BLASTING NONE
2 OF THE CLOSEST RECEPTOR LOCATIONS WOULD EXPERIENCE BLASTING
3 IMPACTS THAT EXCEED IDENTIFIED SIGNIFICANCE FACTORS,
4 HOWEVER, BLASTING WILL BE PERCEPTIBLE TO THE CLOSEST
5 RECEPTORS SUCH AS RIVER'S END TRAILER PARK AND PROPOSED BEE
6 CANYON. MORE DISTANT RECEPTORS SUCH AS THOSE IN THE AGUA
7 DULCE ARE OUT OF THE RANGE OF PERCEPTIBILITY.

8 IMPACT MITIGATION FOR BLASTING INCLUDES
9 IMPLEMENTING A DETAILED BLASTING PLAN AND PUBLIC AWARENESS
10 PLAN, MONITORING OF THE BLASTING AND REPORTING OF THIS
11 MONITORING TO THE COUNTY, AND THIS ENSURES THAT THE
12 BLASTING IS DONE IN COMPLIANCE OF OFFICE OF SURFACE MINING
13 AND RECLAMATION CRITERIA AND THE MODIFICATION OF THE
14 BLASTING PLAN, AS NECESSARY, BASED ON THESE MONITORED
15 RESULTS. THE EIR CONCLUDES THAT THE NOISE IMPACTS ARE
16 REDUCED TO LESS THAN SIGNIFICANT.

17 CONSIDERABLE EFFORT HAS BEEN TAKEN TO PROVIDE
18 AN ALTERNATIVE ANALYSIS THAT CONFORMS TO THE SEQUA
19 REQUIREMENTS AND IS MEANINGFUL FROM A DECISION MAKING
20 STANDPOINT. SEQUA REQUIRES THAT THE ANALYSIS OF
21 ALTERNATIVES BE GOVERNED BY THE RULE OF REASON. THAT IS
22 THE SCOPE OF ANALYSIS IS LIMITED BY VARIOUS FACTORS
23 INCLUDING THE ABILITY OF THE ALTERNATIVE TO LESSEN IMPACTS
24 AND TO FEASIBLE ATTAIN PROJECT OBJECTIVES. ADDITIONALLY,
25 SEQUA ALLOWS THAT NUMEROUS FACTORS BE TAKEN INTO ACCOUNT
26 WHEN CONSIDERING FEASIBILITY, INCLUDING SITE SUITABILITY,
27 ECONOMIC VIABILITY, GENERAL PLAN CONSISTENCY, REGULATORY
28 LIMITATIONS AND JURISDICTIONAL BOUNDARIES.

1 THE EIR IMPLEMENTED A TWO-STEP PROCESS TO
2 IDENTIFY AND ASSESS ALTERNATIVES. FIRST, NUMEROUS --
3 POTENTIAL ALTERNATIVES TO THE PROJECT WERE IDENTIFIED AND
4 SUBJECTED TO A PRELIMINARY ENVIRONMENTAL ANALYSIS TO
5 DETERMINE OVERALL FEASIBILITY. THE RANGE OF ALTERNATIVES
6 EVALUATED IN THIS FIRST INCLUDED STEP, AMONG OTHERS,
7 ALTERNATIVE SITES FOR THE PROJECT, AS WELL AS ALTERNATIVE
8 SITES FOR DISPOSAL OF FINES. FOR REFERENCE, THESE
9 PRELIMINARY ALTERNATIVES ARE A DISCUSSED IN SECTION 3.5.2
10 OF THE EIR.

11 BASED ON THIS PRELIMINARY ANALYSIS THERE IS
12 SEVEN ALTERNATIVES THAT WERE SELECTED FOR DETAILED ANALYSIS
13 IN THE EIR, AND THIS INCLUDES THE NO PROJECT ALTERNATIVE
14 WHICH RETAINS THE PROJECT IN ITS CURRENT USE. A REDUCED
15 NORTH FINE STORAGE AREA ALTERNATIVE WHICH YOU'VE HEARD
16 ABOUT ALREADY, ALTERNATIVE BATCH PLANT LOCATIONS, WHICH
17 EXAMINE THE OPTION OF LOCATING THE CONCRETE BATCH LOCATION
18 AT AN OFF-SITE LOCATION. RECLAIMED WATER ALTERNATIVE,
19 WHICH EVALUATES THE POTENTIAL FOR BRINGING A SOURCE OF
20 RECLAIMED WATER TO THE SITE FOR USE IN AGGREGATE
21 PROCESSING. PRODUCT TRANSPORTATION ALTERNATIVE, WHICH
22 CONSIDERED THE USE OF OTHER MODES OF TRANSPORTATION OF
23 AGGREGATES FROM THE SITE INCLUDING TRANSPORT BY RAIL.
24 ALTERNATIVE NORTH FINE STORAGE AREA, WHICH EVALUATED
25 SEVERAL NEARBY SITES FOR DISPOSAL OF FINES AS AN
26 ALTERNATIVE TO THE ON-SITE NORTH FINE STORAGE AREA. AND A
27 REDUCED QUANTITY MINING CONCEPT ALTERNATIVE, WHICH
28 EVALUATED A REDUCED SCALE OF MINING OPERATIONS WHICH WOULD

1 PRODUCE 32 MILLION TONS OF PRODUCT OVER THE CONTRACT PERIOD
2 VERSUS THE PROPOSED 56 MILLION TONS.

3 AND THE COMPARATIVE ANALYSIS CONTAINED IN THE
4 EIR AT CONCLUDES THAT NO PROJECT ALTERNATIVE IS THE
5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE. OF THE PROJECT
6 ALTERNATIVES OF THE REDUCED NORTH FINE STORAGE ARE
7 ALTERNATIVE WAS DETERMINED TO BE ENVIRONMENTALLY SUPERIOR.
8 AND THAT CONCLUDES MY PRESENTATION. I'D LIKE TO TURN IT
9 BACK OVER TO BOB SELLS FOR A FEW QUICK CONCLUDING REMARKS.

10 MR. SELLS: THANK YOU VERY MUCH, TOM. JUST VERY
11 QUICKLY, I'D LIKE TO THANK THE COMMISSION FOR THEIR
12 ATTENTION TO OUR PROGRAM AND TO OUR PRESENTATION AND
13 MS. MOORE FOR HER PRESENTATION. I'D LIKE TO REEMPHASIZE
14 ONE OF THE KEY POINTS TO OUR PROJECT, AND THAT IS SELECTING
15 NOT APPROVE OUR PROJECT WILL END UP INCREASING
16 TRANSPORTATION OF 56 MILLION TONS BY 100 MILLION MILES ON
17 THE 14 FREEWAY. THAT COST OF \$178 MILLION DOLLARS, 50
18 PERCENT OF THAT WILL GO TO THE PUBLIC WORKS PROCESS --
19 PROJECTS TO CAL TRANS IN THE END. IT'S IMPORTANT FOR
20 COMMISSIONS LIKE YOURSELF TO RECOGNIZE THAT IN ORDER TO
21 MAINTAIN THE 600 MILLION TON RESOURCE RESERVE BASE THAT YOU
22 CURRENTLY HAVE A PROJECT OF OUR SIZE NEEDS TO BE APPROVED
23 EVERY TWO YEARS. AND I THINK IT'S EXTREMELY IMPORTANT TO
24 REVIEW THE MAP THE DIVISION OF MINES AND GEOLOGY HAS
25 PROVIDED BECAUSE THE RESOURCES ARE NOT JUST ANYWHERE WE'D
26 LIKE TO HAVE THEM. THEY ARE IN DESIGNATED AREAS. THANK
27 YOU FOR YOUR TIME AND ATTENTION AT THIS TIME, WITH THE
28 CHAIR'S PERMISSION, I'D LIKE TO ASK THE BLM TO SPEAK.

1 COMMISSIONER CAMPBELL: ONE MOMENT. ARE THERE ANY
2 MEMBERS OF THE COMMISSION THAT WANT TO ASK QUESTIONS OF THE
3 APPLICANT BEFORE WE GO TO BLM?

4 COMMISSIONER TOY: YEAH. THERE'S A LOT OF QUESTIONS
5 WE HAVE MADAM CHAIR, BUT IN VIEW OF THE NUMBER OF PEOPLE
6 THAT HAVE COME OUT I DO WANT TO GIVE THEM AN OPPORTUNITY TO
7 SPEAK. I DO HAVE ONE FAST ONE I THINK CAN BE ANSWERED BY
8 MR. SELLS. WHEN YOU'RE TALKING ABOUT 50 PERCENT OF ALL THE
9 PRODUCTION OF THE GRAVEL WOULD GO TO PUBLIC WORKS AND CAL
10 TRANS DO YOU GUYS HAVE AN EXCLUSIVE WITH CAL TRANS OR --

11 MR. SELLS: NO, SIR. NO, SIR. THAT IS STRICTLY PUT
12 OUT AS COMPETITIVE BID, AND WE ARE USUALLY THE MATERIAL
13 SUPPLIER TO CONTRACTORS THAT ARE DOING THE PAVING WORK OR,
14 IN OUR CASE, WE'RE SUPPLYING IT TO READY MIX CONCRETE
15 PRODUCERS WHO IN TURN PUT IT IN THEIR BATCH PLANS AND
16 PRODUCED THE CONCRETE WHICH IS USED BY CONTRACTORS ON THE
17 PROJECT.

18 COMMISSIONER TOY: SO PUBLIC WORKS OR ANY OTHER
19 AGENCY CAN -- IF THERE ARE OTHER COMPANIES CAN GO ANYWHERE
20 ELSE?

21 MR. SELLS: EXACTLY, EXACTLY.

22 COMMISSIONER TOY: OKAY. THAT'S FINE.

23 MR. SELLS: YES, SIR.

24 COMMISSIONER CAMPBELL: ALL RIGHT, THEN I'LL ASK THE
25 REPRESENTATIVE FROM BLM TO PLEASE COME FORWARD. PLEASE
26 STATE YOUR NAME AND ADDRESS FOR THE RECORD.

27 MR. GRABOWSKI: I'M RICHARD GRABOWSKI, I'M THE
28 DEPUTY STATE DIRECTOR FOR THE BLM FOR MINERALS AND ENERGY.

1 COMMISSIONER CAMPBELL: I'M SORRY. WOULD YOU REPEAT
2 YOUR LAST NAME.

3 MR. GRABOWSKI: RICHARD GRABOWSKI.
4 G-R-A-B-O-W-S-K-I.

5 COMMISSIONER CAMPBELL: OKAY, THANK YOU VERY MUCH.

6 MR. LEVERETTE: AND MY NAME IS MITCHELL LEVERETTE.
7 I'M THE MINERAL MATERIALS PROGRAM LEAD FOR THE SAND AND
8 GRAVEL PROGRAM FOR BLM AND THE STATE OF CALIFORNIA.

9 COMMISSIONER CAMPBELL: MITCHELL, COULD YOU REPEAT
10 YOUR LAST NAME?

11 MR. LEVERETTE: LEVERETTE, L-E-V-E-R-E-T-T-E.

12 COMMISSIONER CAMPBELL: E-T-T. THANK YOU. ALL
13 RIGHT, THANK YOU.

14 MR. LEVERETTE: WE APPRECIATE THIS OPPORTUNITY TO
15 COME BEFORE YOU TO PROVIDE REMARKS REGARDING THE TRANSIT
16 MIXED CONCRETE PROJECT PROPOSAL THAT'S IN FRONT OF YOU. WE
17 ARE HERE REPRESENTING THE U.S. DEPARTMENT OF INTERIOR
18 BUREAU OF LAND MANAGEMENT. BLM HAS A RESPONSIBILITY FOR
19 MANAGEMENT OF A MINERALS ON BLM PUBLIC LANDS. THE MINERALS
20 AT THE SOLEDAD SITE ARE THE PROPERTY OF THE UNITED STATES
21 GOVERNMENT AND ARE CONSIDERED TO BE FEDERAL PUBLIC LANDS.
22 DEVELOPING THE SOLEDAD CANYON MINERAL ESTATE IS A HIGH
23 PRIORITY FOR THE FEDERAL GOVERNMENT, BOTH IN THE STATE OF
24 CALIFORNIA AND AT OUR WASHINGTON OFFICE HEADQUARTERS.

25 BLM HAS UNDERTAKEN A 15-YEAR EFFORT TO
26 DEVELOP FEDERAL MINERAL ESTATE IN THIS AREA. IN THE LATE
27 1980S THE BLM MADE A LAND USE DECISION TO PURSUE A FEDERAL
28 MINERAL SALE CONTRACT IN PART BASED ON THE FINDINGS THAT A,

1 IT WAS IN THE PUBLIC'S INTEREST TO DO SO. B, THE COUNTY'S
2 NEED FOR AGGREGATE MATERIAL. C, THE STATE DESIGNATION OF
3 THE AREA BEING REGIONALLY SIGNIFICANT FOR AGGREGATE AND D,
4 THE SITE WAS PREVIOUSLY MINED AND THAT THE MINING WAS
5 CONSISTENT WITH LOCAL ZONING. BEFORE WE ISSUED A CONTRACT
6 AT THE SOLEDAD CANYON SITE BLM CONDUCTED A PRELIMINARY
7 ENVIRONMENTAL REVIEW OF THE SITE. AT THE COMPLETION OF
8 THIS REVIEW BLM MADE A PLANNING DECISION TO DEVELOP THE
9 FEDERAL MINERAL ESTATE. ADDITIONALLY, BLM IDENTIFIED THIS
10 REGION AS A SOURCE FOR SAND AND GRAVEL DEVELOPMENT IN OUR
11 FEDERAL RESOURCE MANAGEMENT PLAN, REFERRED AS OUR RMP, FOR
12 THE SOUTH COAST MANAGEMENT AREA. THIS RMP WAS MADE READILY
13 AVAILABLE TO PUBLIC -- TO THE PUBLIC FOR COMMENT AND REVIEW
14 AT THAT TIME.

15 THE U.S. ATTORNEY HAS LITIGATED TWICE TO
16 CONFIRM THE UNITED STATES' OWNER OWNERSHIP TO THE RIGHTS
17 AND RIGHTS TO THE MINERALS, AS WELL AS THE RIGHTS TO THE
18 FEDERAL GOVERNMENT TO DISPOSE OF THESE MINERALS BY ISSUING
19 A MINERAL MATERIAL SALES CONTRACT TO THE HIGHEST BIDDER.
20 OVER THE PAST SEVERAL YEARS BLM HAS BEEN CONDUCTING ITS OWN
21 THOROUGH AT THE ENVIRONMENTAL REVIEW OF THE TRANSIT MIXED
22 PROJECT. THIS REVIEW IS IN THE FORM OF AN ENVIRONMENTAL
23 IMPACT STUDY OR AN EIS, WHICH IS EQUIVALENT TO THE STATE'S
24 EIR. AS THIS EIS IS OUTLINED IN OUR FEDERAL ENVIRONMENTAL
25 LAWS UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT OR NEPA IT
26 IS CALLED, IN JUNE OF THIS YEAR WE, BLM, WILL HOLD A PUBLIC
27 MEETING TO RECEIVE COMMENTS ON THIS ENVIRONMENTAL DOCUMENT,
28 AND AFTER THAT COMMENT PERIOD ENDS WE WILL REVIEW THE FINAL

1 MINING AND RECLAMATION PLAN IN ACCORDANCE WITH FEDERAL
2 REGULATIONS.

3 WE URGE YOU, THE PLANNING COMMISSION, TO
4 APPROVE THE TMC PROJECT AND NOT TO MAKE A DECISION TO
5 REJECT THIS FEDERALLY SANCTIONED PROJECT. WE FEEL THAT THE
6 PUBLIC, TAX PAYERS AND THE GOVERNMENT WILL ALL BENEFIT FROM
7 THE DEVELOPMENT OF THESE RESOURCES. THANK YOU.

8 MR. GRABOWSKI: TO SUMMARIZE WHAT MR. LEVERETTE HAS
9 SAID, THE FEDERAL GOVERNMENT AND THE STATE HAS HAD A THE
10 LONG PERIOD OF A INVOLVEMENT, BOTH TECHNICALLY AND LEGALLY
11 WITH THIS PARTICULAR SITE. WE'VE STUDIED THIS UNDER OUR
12 RESOURCE MANAGEMENT PLANS THROUGH THE REGION, WE'VE ISSUED
13 AN THE EIA IN ADVANCE OF THE SALES CONTRACT THAT WE ISSUED
14 APPROXIMATELY 10 YEARS AGO, AND WE'RE CURRENTLY UNDER THE
15 NEPA PROCESS STUDYING THIS THROUGH AN EIS. ALL OF OUR
16 EFFORTS AND ENERGIES IN THIS AREA HAVE LED US TO BELIEVE
17 THAT THIS IS AN AREA OF HIGH QUALITY MATERIAL. AS A MATTER
18 OF FACT, IT'S THE LARGEST -- IT'S THE LARGEST CONTRACT THAT
19 THE BLM AS EVER LET OUT. IT HAS NO SIGNIFICANT
20 ENVIRONMENTAL IMPACTS THAT CAN'T BE MITIGATED. THERE'S A
21 STRONG LOCAL MARKET AND A MARKET THAT YOU CAN SEE AS THE
22 STATE HAS INDICATED THAT IS ONE THAT'S GOING TO BE GROWING
23 SIGNIFICANTLY IN THE FUTURE. THERE'S A RELATIVELY LOW
24 POPULATION DENSITY, THERE'S GOOD ACCESS AND MOST
25 IMPORTANTLY THIS AREA HAS HAD A LONG HISTORY OF A MINING
26 WHICH IS VERY SIGNIFICANT.

27 IN SUMMARY, WE BELIEVE THAT WE HAVE AN
28 EXCELLENT PROJECT IN A EXCELLENT LOCATION. THE DEVELOPMENT

1 THIS PROJECT WILL BRING STRONG LOCAL ECONOMIC IMPACT, IT
2 WILL SATISFY THE COUNTY'S GROWING NEEDS FOR MATERIALS, IT
3 HAS A POSITIVE IMPACT ON THE STATE AND CERTAINLY A POSITIVE
4 IMPACT ON THE FEDERAL GOVERNMENT. AS SUCH, WE'D LIKE YOU
5 TO APPROVE THIS PROJECT AS PROPOSED.

6 ONE FINAL NOTE. S WE'VE NOTED THAT JUST
7 RECENTLY THERE'S BEEN QUITE A BIT OF PUBLICITY ABOUT THIS A
8 PARTICULAR PROJECT. THERE TENDS TO BE -- WE'VE SEEN A LOT
9 OF DISTORTION -- DISTORTIONS IN THOSE ARTICLES. A LOT OF
10 THE THINGS THAT ARE IN THOSE ARTICLES ARE ADDRESSED IN OUR
11 EIS. WE INTEND TO DISCUSS SOME OF OUR DISTORTIONS AT OUR
12 PUBLIC HEARING. WE MAY HAVE NEWS RELEASE AND WE'RE ALSO
13 TALKING ABOUT POSSIBLY HAVING A WEBSITE WHERE THE FACTS OF
14 THIS PROJECT CAN BE READ BY THE ENTIRE PUBLIC. THANK YOU
15 VERY MUCH.

16 COMMISSIONER CAMPBELL: I HAVE A QUESTION FOR
17 MR. GRABOWSKI. YOU SAID THAT YOU -- IT'S THE BLM'S
18 POSITION THAT THIS COMMISSION APPROVE THIS PROJECT AS
19 PROPOSED. SO ESSENTIALLY ARE YOU SAYING THAT WITH RESPECT
20 TO THE PROPOSED PROJECT ALTERNATIVES THAT WERE SET FORTH IN
21 THE EIR, HAVE YOU STUDIED THOSE AND NOTWITHSTANDING WHAT
22 THEY SAY, PARTICULARLY THE NORTH SITE, THE REDUCED NORTH
23 SITE PROJECT WHERE THE FINES WOULD BE REDUCED, YOU SAY THAT
24 THAT PROJECT ALTERNATIVE IS NOT ACCEPTABLE TO YOU NOR THE
25 REDUCED FINES DOWN TO 32 MILLION AS OPPOSED --

26 MR. GRABOWSKI: I WOULD SAY THE FINES AREA AS
27 ORIGINALLY PROPOSED, ITS ORIGINAL SITE, IS ACCEPTABLE
28 CONSIDERING THE KIND AND THE SCOPE OF THE ACTIVITIES IN

1 THAT AREA.

2 COMMISSIONER CAMPBELL: IT SEEMS THAT THE APPLICANT

3 HIMSELF -- ITSELF IS ACCEPTING THE REDUCED NORTH FINES AREA

4 AS A PROJECT ALTERNATIVE.

5 MR. GRABOWSKI: WELL, THAT WOULD HAVE TO BE A

6 TECHNICAL CALL THAT THE APPLICANT SHOULD MAKE --

7 COMMISSIONER CAMPBELL: OKAY.

8 MR. GRABOWSKI: -- AND CAN MAKE.

9 COMMISSIONER CAMPBELL: WELL, HAVE YOU -- HAS YOUR

10 AGENCY ANALYZED THAT ONE, THAT ALTERNATIVE?

11 MR. LEVERETTE: YES. WE HAVE ANALYZED THAT

12 ALTERNATIVE. AND THAT'S NOT OUR PREFERRED ALTERNATIVE, BUT

13 I THINK WE CAN LIVE WITH THAT ALTERNATIVE AS A AGENCY AND

14 AN ISSUER OF THE CONTRACTS.

15 COMMISSIONER CAMPBELL: NOW, YOUR PUBLIC HEARING IN

16 JUNE IS BASICALLY WHERE YOU'LL CONSIDER, AND SAY UNDER OUR

17 SEQUA PROCESS IT WOULD BE A FINAL EIR WHICH WOULD BE -- AND

18 WOULD INCLUDE ALL COMMENTS AND THE RESPONSES. IS THAT THE

19 SAME EQUIVALENT UNDERNEATH --

20 MR. GRABOWSKI: THAT'S CORRECT.

21 COMMISSIONER CAMPBELL: AND AT THE CONCLUSION OF THE

22 HEARING THEN YOUR AGENCY WILL MAKE A FINDING THAT THE

23 PROJECT IS ACCEPTABLE UNDERNEATH THAT? IS THAT CORRECT?

24 MR. LEVERETTE: YES, THAT'S CORRECT. WE WILL MAKE A

25 FINDING OF THE PROJECT AND --

26 MR. GRABOWSKI: THROUGH A RECORD OF DECISION.

27 MR. LEVERETTE: -- THROUGH A RECORD OF DECISION AND

28 THAT RECORD WILL BE BASED ON THE ENVIRONMENTAL IMPACTS THAT

1 ARE ASSOCIATED WITH THE PROJECT.

2 COMMISSIONER CAMPBELL: AND THAT'S THE BUREAU OF
3 LAND MANAGEMENT?

4 MR. LEVERETTE: YES.

5 COMMISSIONER CAMPBELL: IS THERE A COMMISSION THAT
6 SITS ON BEHALF OF THE BUREAU OR WHAT'S YOUR PROCESS LIKE?

7 MR. LEVERETTE: NO, WE DO NOT CONVENE A COMMISSION.
8 BASICALLY, THE MANAGEMENT WILL MAKE A DECISION AFTER ALL
9 THE COMMENTS ARE IN AND WE EVALUATE THE COMMENTS WITH THE
10 ENVIRONMENTAL DOCUMENT.

11 COMMISSIONER CAMPBELL: SO THE MANAGEMENT
12 COMMITTEE -- BUREAU OF LAND MANAGEMENT HOLDS THE PUBLIC
13 HEARING?

14 MR. LEVERETTE: YES.

15 COMMISSIONER CAMPBELL: ALL RIGHT, I JUST WANTED TO
16 UNDERSTAND PROCEDURALLY. ARE THERE ANY OTHER QUESTIONS?

17 COMMISSIONER TOY: YEAH, LET ME JUST GET ONE
18 CLARIFICATION. I'M SORRY. BOTH OF YOU GENTLEMEN REPRESENT
19 THE STATE, BLM OR THE FEDERAL?

20 MR. GRABOWSKI: FEDERAL GOVERNMENT.

21 MR. LEVERETTE: FEDERAL GOVERNMENT. U.S. DEPARTMENT
22 OF INTERIOR.

23 COMMISSIONER TOY: OKAY. SO IS THERE -- WHAT
24 HAPPENS -- LET'S TAKE THIS SCENARIO WHETHER IT'S OUR
25 COMMISSION OR ANY OTHER COMMISSION IF WE WERE TO TAKE A
26 POSITION OF NOT APPROVING A PROJECT A THAT YOU FEEL THAT'S
27 SUPER IMPORTANT IS THERE A LAW OR OVERRIDING SITUATION
28 WHERE LET'S SAY IN TERMS OF LOCAL GOVERNMENT AGENCIES WHERE

1 THEY CAN SAY THAT THERE'S LANDS THAT PEOPLE DEEM THAT IS
2 SORT OF GENERAL OR THE INTERESTS OF THE PUBLIC IN GENERAL
3 THEY CAN USE LIKE EMINENT DOMAIN TO GO IN AND TAKE THE
4 LAND. IS THERE SOMETHING LIKE THAT TO DEAL WITH THIS IN
5 TERMS OF, YOU KNOW, MINING SINCE IT'S SO IMPORTANT AND
6 SINCE, AS YOU'RE SAYING, IT'S GOING TO BENEFIT THE PUBLIC
7 IN GENERAL.

8 MR. LEVERETTE: WELL, WE'VE BEEN HAVING THESE
9 DISCUSSIONS WITH OUR SOLICITOR THE EXACT SUBJECT THAT
10 YOU'RE TALKING ABOUT AND THE SOLICITOR SEEMS TO FEEL THAT
11 WE DO HAVE SOME RIGHTS AS A FEDERAL GOVERNMENT IN SEEING
12 THAT THIS PROJECT GOES FORWARD. I DON'T KNOW IF YOU WANT
13 TO TURN THEM RIGHTS OF PREEMPTION OR WHATEVER, BUT WE ARE
14 LOOKING INTO THAT AND WE FEEL THAT WE HAVE SOME RIGHTS AS
15 THE FEDERAL GOVERNMENT AND THE OWNER OF THE MINERALS IN
16 THAT AREA.

17 COMMISSIONER TOY: BUT THERE IS NO CLEAR CUT LAWS OR
18 ANY PROCESS THAT'S IN PLACE AT THIS PARTICULAR TIME,
19 RIGHT?

20 MR. LEVERETTE: I CAN'T ADDRESS THAT. OUR SOLICITOR
21 WOULD REALLY HAVE TO ADDRESS THAT SPECIFICALLY.

22 COMMISSIONER CAMPBELL: HAS YOUR SOLICITOR ISSUED AN
23 OPINION IN THAT REGARD?

24 MR. LEVERETTE: WE HAVE MET INFORMALLY AND HE SEEMS
25 TO THINK THAT WE DO HAVE CERTAIN PREEMPTION RIGHTS TO THE
26 MINERALS AND THE MINING OF THAT AREA.

27 MR. GUTIERREZ: MR. TOY, MIGHT I SUGGEST THAT COUNTY
28 COUNSEL CONTACT THE SOLICITOR AND PERHAPS WE CAN HAVE A

1 DISCUSSION WITH HIM.

2 COMMISSIONER TOY: SURE. AND I WOULD EXPECT THAT
3 COUNTY COUNSEL WOULD COME BACK WITH SOME OPINIONS. ONLY
4 FROM THIS ANGLE, THAT IF IN FACT THAT IS THE CASE AND IF
5 THEY'RE GOING TO MOVE THAT THEN A LOT OF THESE PROCEEDINGS
6 ARE MUTE IN MY OPINION. I MEAN, IF THEY IN FACT ARE GOING
7 TO MOVE THAT WAY ANYWAY.

8 COMMISSIONER CAMPBELL: IF THEY'RE SAYING THERE'S A
9 PREEMPTION.

10 COMMISSIONER TOY: RIGHT, IF THERE'S A PREEMPTION,
11 RIGHT.

12 COMMISSIONER CAMPBELL: BUT I'M NOT CERTAIN --

13 COMMISSIONER TOY: I'M NOT SURE OF THIS EITHER. I
14 JUST WANTED TO GET A CLEAR QUESTION.

15 COMMISSIONER CAMPBELL: NO, IT'S A CLEAR QUESTION
16 OBVIOUSLY. MR. PEDERSEN, DID YOU HAVE A QUESTION?

17 COMMISSIONER PEDERSEN: ONE VERY BRIEF QUESTION. AS
18 TO THE POPULATION DENSITY FIGURES, EITHER OF YOU GENTLEMEN
19 COULD ANSWER THIS, COULD YOU TELL ME OR DO YOU HAVE
20 AVAILABLE WHAT DO WE MEAN BY AREA THAT YOU WOULD INVOLVE,
21 WHAT DO YOU MEAN BY TIME THE LAST POPULATION DENSITY
22 FIGURES WERE TAKEN AND WHO TOOK THEM? CAN YOU TELL US THAT
23 OR WOULD YOU HAVE THAT AVAILABLE? YOU HAVE TO --

24 MR. GRABOWSKI: WELL, I THINK WE CAN RESEARCH THAT,
25 BUT IF YOU LOOK AT THOSE PHOTOGRAPHS I THINK IT TELLS THE
26 TAIL. GRANTED THOSE ARE OLD ONES, 1991 --

27 COMMISSIONER PEDERSEN: YEAH, THAT'S WHY I ASKED THE
28 QUESTION.

1 MR. GRABOWSKI: BUT THERE'S BEEN RELATIVELY LITTLE
2 CHANGE SINCE THEN. THERE IS SOME DEVELOPMENT CERTAINLY
3 THAT'S EMERGING FROM THE WEST AND I JUST THINK THAT WILL
4 CONTINUE TO HAPPEN.

5 COMMISSIONER PEDERSEN: WERE YOU AWARE THAT'S
6 THERE'S LITTLE CHANGE? THAT'S SOMETHING I DIDN'T KNOW.
7 WHEN YOU SAY THERE HAS BEEN LITTLE CHANGE SINCE THAT
8 1991 --

9 MR. GRABOWSKI: THERE HAS BEEN CHANGE.

10 A VOICE: THERE BEEN A TREMENDOUS AMOUNT OF
11 CHANGE --

12 COMMISSIONER CAMPBELL: SHH, SHH. I'M SORRY. IF
13 YOU CANNOT CONTROL YOURSELF YOU HAVE TO BE REMOVED. YOU
14 CANNOT SPEAK UNLESS YOU ARE SWORN IN.

15 MR. PEDERSEN: THANK YOU. THAT'S ALL I HAVE.

16 COMMISSIONER CAMPBELL: DID YOU HAVE ANYTHING?

17 COMMISSIONER VARGO: NOT AT THIS TIME.

18 COMMISSIONER CAMPBELL: I HAVE A COUPLE OF QUESTIONS
19 I WANTED TO ASK YOU WITH RESPECT TO YOUR SUPPORT OF THE
20 PROJECT. THE APPLICANT'S TESTIMONY BASICALLY LAID OUT IN
21 THE INITIAL PHASE A TREMENDOUS OR A COMPELLING ARGUMENT
22 THAT THERE IS THIS TREMENDOUS NEED FOR THE AGGREGATE
23 RESOURCES, AND IT SEEMED TO ME THAT IN THE PRESENTATION
24 THERE WAS THIS ASSUMPTION ABOUT THIS TREMENDOUS NEED, AND
25 I'M JUST -- IT PUZZLES ME BECAUSE THERE IS SO MUCH
26 INFRASTRUCTURE THAT'S ALREADY THERE. WHY ARE WE -- WHY DO
27 WE HAVE SUCH A CONTINUING NEED? DO WE -- DO WE USE IT -- I
28 MEAN, WHAT ARE WE USING IT FOR? I MEAN, THERE'S ONLY SO

1 MUCH INFRASTRUCTURE YOU CAN HAVE. I MEAN, ALBEIT YOU CAN
2 CONTINUE TO BUILD BUILDINGS, I GUESS, BUT I DON'T KNOW. IT
3 JUST SEEMED TO ME THAT'S A PRETTY BIG JOB.

4 MR. GRABOWSKI: WELL, YOU KNOW, IT HAS TO DO WITH
5 THE INFLUX OF POPULATION IN CALIFORNIA, THE CONTINUED
6 CONSTRUCTION OF HOUSES AND HIGHWAYS, THE REPLACEMENT OF
7 EXISTING STRUCTURES. IT ALL TAKES AGGREGATE, SO -- SOME OF
8 WHICH IS RECYCLED, BUT THERE'S A SIGNIFICANT CONTINUED
9 GROWTH IN CALIFORNIA. IT'S A VERY POPULAR AREA TO GO TO.
10 AS AREAS EXPAND AND THERE'S MORE DEVELOPMENT THERE'S LESS
11 AND LESS OPPORTUNITIES TO MINE THESE AGGREGATES BECAUSE WE
12 HAVE THESE HOUSING AREAS AND SHOPPING CENTERS ACTUALLY
13 ENCROACH ON EXISTING RESOURCES AND THE BECOME UNAVAILABLE.
14 SO AS YOU HAVE MORE AND MORE DEVELOPMENT THERE'S FEWER AND
15 FEWER RESOURCES, AND WITH TIME THIS WILL BECOME MORE
16 SIGNIFICANT.

17 MR. LEVERETTE: AND ALSO, YOU MAY NOT BE BUILDING A
18 BUNCH OF NEW STRUCTURES, BUT YOU HAVE TO REPAIR ROADS AND
19 BRIDGES AND THEY -- THOSE REPAIRS WILL NEED AGGREGATE
20 MATERIALS AS WELL, THE REPAIRS.

21 MR. GRABOWSKI: I THINK THE STATE WILL EXPLAIN THAT
22 IN A LITTLE BIT, AND THAT'S WHY THEY DESIGNATED THIS
23 REGIONALLY SIGNIFICANT BECAUSE IT IS A UNIQUE SITUATION, IT
24 IS WITHIN RELATIVELY MAJOR URBAN AREA WHERE THE CONSUMPTION
25 IS OCCURRING. IF THIS WERE IN THE MIDDLE OF ALASKA IT
26 WOULD BE VIRTUALLY VALUELESS, BUT ITS VALUE LIES IN THE
27 FACT THAT IT'S VERY CLOSE TO A MAJOR CENTER OF MAJOR FUTURE
28 GROWTH.

1 COMMISSIONER CAMPBELL: OKAY, OKAY.

2 MR. SELLS: MS. CAMPBELL RELATED TO QUESTION, I
3 THINK IT'S SOMETHING THAT'S VERY IMPORTANT. THERE'S A
4 PROJECT COMING DOWN THE PIKE, THE ALAMEDA CORRIDOR. THAT'S
5 GOING TO TAKE APPROXIMATELY FIVE MILLION TONS OF CRUSHED
6 STONE, SAND AND GRAVEL JUST TO DO THAT PROJECT. SO THOSE
7 ARE THE TYPE PROJECTS THAT ARE COMING. REBUILDING OF THE
8 INFRASTRUCTURE, EARTHQUAKE RETROFIT, THOSE TYPES OF
9 THINGS. THE TYPICAL HOME TAKES 150 TONS OF CRUSHED STONE.

10 COMMISSIONER CAMPBELL: WHAT KIND OF HOME? YOU MEAN
11 JUST FOR THE FOUNDATION OF --

12 MR. SELLS: FOUNDATION. FOUNDATION, DRIVEWAY,
13 PATIOS, THOSE TYPES OF THINGS.

14 COMMISSIONER CAMPBELL: IT TAKES HOW MUCH DID YOU
15 SAY?

16 MR. SELLS: A HUNDRED AND FIFTY TONS.

17 COMMISSIONER CAMPBELL: WOW.

18 COMMISSIONER VARGO: WOW.

19 COMMISSIONER CAMPBELL: OKAY, WELL, LET'S TRY TO
20 PROCEED FORWARD. THEN THANK YOU VERY MUCH FOR YOUR
21 TESTIMONY. NOW, I -- MAY I HAVE ORDER PLEASE. WHAT I'D
22 LIKE TO DO NOW IS TO CONTINUE THE PUBLIC HEARING WITH
23 TESTIMONY IN SUPPORT OF THE PROJECT. SO IF THERE ARE OTHER
24 PEOPLE IN THE AUDIENCE THAT WOULD LIKE TO COME FORWARD AND
25 TESTIFY IN SUPPORT OF THE PROJECT PLEASE DO SO NOW.

26 COMMISSIONER VARGO: DID THE APPLICANT HAVE ANY
27 OTHER SPEAKERS.

28 MR. SELLS: NO, MA'AM.

1 COMMISSIONER: CAMPBELL OKAY.

2 MS. ERICKSON: GOOD MORNING.

3 COMMISSIONER CAMPBELL: GOOD MORNING.

4 MS. ERICKSON: I AM ELIZABETH ERICKSON. I'M WITH
5 THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, AND I
6 UNDERSTAND YOUR PROCEDURE IS TO HAVE AGENCIES, FEDERAL AND
7 STATE AGENCIES, SPEAK AT THIS POINT IN YOUR PROCEEDINGS, SO
8 THAT'S WHY I'M SITING HERE.

9 COMMISSIONER CAMPBELL: THAT'S FINE.

10 MS. ERICKSON: FIRST OF ALL, I'D LIKE TO MAKE A
11 GENERAL COMMENT ABOUT THE REASON I'M CHOOSING TO SPEAK
12 HERE.

13 COMMISSIONER CAMPBELL: I'M SORRY, MISS. IT'S
14 ELIZABETHER ERICKSON?

15 MS. ERICKSON: ELIZABETH ERICKSON.

16 COMMISSIONER CAMPBELL: AND YOU'RE FROM.

17 MS. ERICKSON: CALIFORNIA REGIONAL WATER QUALITY
18 CONTROL BOARD, THE LOS ANGELES REGION. WE'RE ONE OF THE
19 AGENCIES THAT WAS LISTED ON THE SCREEN AS WILL BE
20 PERMITTING -- WE WILL BE PERMITTING THIS PROJECT.

21 COMMISSIONER CAMPBELL: THANK YOU.

22 MS. ERICKSON: WE'RE HERE BECAUSE THE PROJECT USES
23 WATER FROM THE SANTA CLARA RIVER, SO ALTHOUGH THE -- YOU'RE
24 USED TO LOOKING AT A PROJECT AND ITS IMMEDIATE IMPACTS,
25 BECAUSE IT DOES USE WATER WE ARE GOING TO HAVE TO LOOK AT
26 ITS IMPACT FOR THE WHOLE SANTA CLARA RIVER, AND THE CLEAN
27 WATER ACT WHICH IS IMPLEMENTED BY THE ENVIRONMENTAL
28 PROTECTION AGENCY REQUIRES US TO LOOK THE BENEFICIAL USES

1 FOR THE ENTIRE SANTA CLARA RIVER AND DETERMINE EACH PROJECT
2 LIKE THIS WHAT IMPACTS IT HAS ON THOSE BENEFICIAL USES, SO
3 THAT'S THE REASON I'M SITTING HERE.

4 THERE'S ALSO INCREASED INTEREST IN THE SANTA
5 CLARA RIVER BECAUSE OF A PROCESS THAT THE EPA HAS AS JUST
6 RECENTLY BEGUN TO IMPLEMENT CALLED THE TMDL PROCESS WHICH
7 REQUIRES ALL THE STATE HOLDERS ALONG A PARTICULAR RIVER TO
8 QUANTIFY THE AMOUNT OF CONTAMINANTS THAT THEY'RE GOING TO
9 PUT INTO THE RIVER SO THAT IF, FOR EXAMPLE, A CONTAMINANT
10 WOULD COME IN FROM THIS SITE THAT'S GOING TO AFFECT A
11 FARMER DOWN IN VENTURA COUNTY WE WOULD NEED TO KNOW HOW
12 MUCH IS BEING PUT IN TO MAKE SURE IT'S NOT GOING TO KILL
13 THE AVOCADOS FOR EXAMPLE, SO THAT'S WHY I'M HERE. OUR
14 SPECIFIC MANDATE IS THAT WE'RE RESPONSIBLE FOR SURFACE AND
15 GROUND WATER RESOURCES PERMITTING WATER QUALITY AND WATER
16 QUANTITY.

17 ON THIS PARTICULAR PROJECT WE'VE REVIEWED THE
18 EIR AND WE HAVE FOUR AREAS OF CONCERN. AT THIS POINT I
19 WOULD SAY THAT WE HAVE NOT RECEIVED ENOUGH INFORMATION TO
20 BELIEVE THAT THE APPLICANT WILL BE ABLE TO GO THROUGH WITH
21 THE PERMITTING PROCESS. THOSE ARE THE CONCERNS WE WANTED
22 TO BRING TO YOUR ATTENTION. FIRST ONE IS WATER RIGHTS
23 WHICH IS ONE OF THE ELEMENTS THAT WAS LISTED ON THE
24 SCREEN. THE EIR DESCRIBES WATER RIGHTS AS COMING FROM THE
25 SUBSURFACE FLOW OF THE SANTA CLARA RIVER, AND, IN FACT, THE
26 TYPES OF QUANTITIES AND SOME OF THE INFORMATION THEY GIVE
27 HAS TO DO WITH THE DEEPER GROUND WATER. AND, IN FACT, HERE
28 THE BASAL FLOW OF THE A RIVER IS RELATIVELY SHALLOW, SO

1 WE'RE CONCERNED THAT THERE'S NOT REALLY SUFFICIENT
2 INFORMATION THERE FOR US TO CONCLUDE THAT THE TYPES OF
3 WATER CAN BE TAKEN JUST FROM THE SUBSURFACE FLOW OF THE
4 RIVER, BUT, IN FACT, THEY'RE LOOKING AT GROUND WATER
5 RESOURCES. AND THE INFORMATION ABOUT THE GROUND WATER
6 WELLS THAT THEY'RE PLANNING TO DEVELOP WERE NOT PROVIDED,
7 SO WE REALLY CAN'T BE SURE THAT IN FACT THIS PARTICULAR
8 APPLICANT CAN MEET THEIR WATER RIGHT RESPONSIBILITIES.

9 THE SECONDS FOUR COMMENTS WOULD HAVE TO DO
10 WITH, AS I MENTIONED, THE CONTAMINATION THAT MIGHT COME
11 FROM THIS SITE. WE HAVE A GENERAL DISAGREEMENT THAT THE
12 APPLICANT IS AIMING TO NOT HAVE ANY WATER FLOW OFF OF THE
13 PROJECT INTO THE RIVER. DURING HEAVY STORMS IT'S VERY,
14 VERY DIFFICULT TO LIMIT FLOW, WE WOULD LIKE TO SEE MORE
15 INFORMATION ABOUT HOW THEY SPECIFICALLY PLAN TO DO THAT,
16 AND ESTIMATE WHAT TYPES OF QUANTITIES OF CONTAMINANT,
17 SPECIFICALLY WHAT LOADS OF CONTAMINANT OF DIFFERENT TYPES
18 WOULD BE ENTERING THE RIVER SO WE CAN ESTIMATE WHAT WOULD
19 BE THE DOWNTURN -- DOWNSTREAM IMPACTS. SO WE HAVE NOT SEEN
20 YET THAT TYPE OF QUANTIFICATION EVIDENCE WHICH IS THE
21 CLEARLY MISSING. AND I WOULD SAY BECAUSE WE DON'T BELIEVE
22 THAT WATER CAN BE KEPT FROM FLOWING OFF THE SITE THERE ARE
23 SEVERAL PERMITTING PROCESSES THAT THE GROUP HAS NOT YET
24 ENGAGED IN. ONE OF THEM IS FOR REPORT OF WASTE DISCHARGE
25 WHICH IS ESSENTIALLY THEIR ESTIMATION IN LINE WITH THE
26 PORTER PALONE ACT (PHONETIC) WHAT TYPES OF DISCHARGE MIGHT
27 COME OFF THE SITE.

28 THE SECOND ONE IS AS YOU CAN SEE FROM THEIR

1 DISPLAYS THERE ARE STREAM BEDS WITHIN THE SITE THAT WOULD
2 BE DISTURBED, AND EACH OF THOSE HAS TO HAVE A 401 OR 404
3 PERMIT APPLICATION. AGAIN, THESE ARE ALL POSSIBLE, BUT I
4 HAVEN'T YET SEEN IN THE EIR EVIDENCE THAT THIS PROCESS IS
5 MOVING FORWARD, AND WE'RE PESSIMISTIC THAT SOME OF THE
6 PERMIT THRESHOLDS COULD BE MET, SO WE'RE CONCERNED. SO
7 THAT'S POINT NUMBER TWO.

8 THE THIRD ONE IS ABOUT THE HABITAT. WE HEARD
9 THE FISH AND GAME DISCUSSION, REPRESENTED DISCUSSION, AND
10 THEIR JOB, AS I SEE IT, IS TO TALK ABOUT THE HABITAT
11 ASSUMING THAT THE WATER SUPPLY DOES ARRIVE. IT'S OUR JOB
12 TO FIGURE OUT IF THE WATER SUPPLY CAN ARRIVE OR IF THERE'S
13 ENOUGH TO CONTINUE TO MAINTAIN THE HABITAT IN ITS CURRENT
14 STATE. THERE'S A LOT OF VERY FINE WORK THAT THE APPLICANT
15 HAS DONE TO TRY AND IDENTIFY WHAT STICKLE BACK'S HABITAT
16 IS, AND THEY TALKED ABOUT THE A WATER USE BASED ON THE
17 AVERAGE OR TYPICAL CONDITIONS IN THE RIVER. THE LAND
18 GAUGING STATION WHICH IS VERY CLOSE TO THE SITE. YOU HAVE
19 REALLY HIGH FLOWS AND THEN YOU HAVE NO FLOWS, AND SO IT'S
20 NOT GOING TO HELP THE STICKLE BACK IF WE DO OUR WATER USE
21 BASED ON THE AVERAGE CONDITIONS.

22 ALTHOUGH FISH AND GAME MAY SAY THAT THE
23 STICKLE BACK IS PROTECTED WE'RE CONCERNED IF THEY'RE
24 PROTECTED IN OUR HUNDRED YEAR DROUGHT IF THEY'RE GOING TO
25 BE PROTECTED IN OUR HUNDRED YEAR FLOOD. THOSE ARE SOME OF
26 THE CONDITIONS WE'D LIKE TO SEE EVIDENCED AND IF THAT IN
27 FACT IS GOING TO BE THE CASE. AGAIN, WE'RE NOT SPEAKING
28 FOR OR AGAINST THIS PROJECT. WE JUST WANTED TO SAY THIS

1 HAS DOWNSTREAM IMPACTS BECAUSE OF THE SANTA CLARITA RIVER,
2 AND THAT WE AT THIS POINT HAVE SOME CONCERNS ABOUT THE
3 APPLICANT'S ABILITY TO MEET SOME OF OUR PERMIT THRESHOLDS,
4 AND WE'D BE HAPPY TO SEE THEM DEVELOP THAT MORE FULLY.
5 THANK YOU.

6 COMMISSIONER CAMPBELL: ALL OF YOUR COMMENTS I TRUST
7 THEN ARE MEMORIALIZED AND SUBMITTED IN RESPONSE TO THE
8 DRAFTED -- THE DRAFT EIR?

9 MS. ERICKSON: THAT'S RIGHT. AND I DO HAVE TO MAKE
10 AN APOLOGY TO THE BOARD. BECAUSE OF OUR EXTREME STAFFING
11 CONSTRAINTS MR. KOTENIK JUST RECEIVED OUR COMMENTS LAST
12 NIGHT, WHICH IS ONE OF THE REASONS I AM SITTING HERE, AND I
13 WOULD HAVE LIKED TO HAVE SEEN THEM INVOLVED EARLIER IN OUR
14 PROCESS SO I WOULDN'T HAVE TO SIT HERE AND SAY THESE
15 THINGS, BUT WE DID COME FORWARD.

16 COMMISSIONER CAMPBELL: OKAY, AND YOU'VE SUBMITTED
17 THAT THEN TO THE STAFF?

18 MS. ERICKSON: ACTUALLY, I HAVE ADDITIONAL COPIES OF
19 OUR COMMENT LETTER IF YOU'D LIKE THEM.

20 COMMISSIONER CAMPBELL: YES, I WOULD. CAN YOU HAND
21 THEM TO THE SECRETARY? THANK YOU. MR. PEDERSEN, DID
22 YOU --

23 MR. PEDERSEN: ONE QUESTION.

24 MS. ERICKSON: YES, SIR.

25 COMMISSIONER PEDERSEN: MS. ERICKSON, YOU MENTIONED
26 FOUR AREAS OF CONCERN.

27 MS. ERICKSON: YES.

28 COMMISSIONER PEDERSEN: I'VE GOT THE WATER RIGHTS,

1 THE CONTAMINATION AND THE HABITAT. WHAT WAS THE 4TH ONE
2 PLEASE?

3 MS. ERICKSON: THE PERMITTING REQUIREMENTS. WE FEEL
4 IT WILL BE VERY DIFFICULT TO LIMIT RUNOFF FROM THE SITE.
5 IT'S POSSIBLE IF YOUR SETTLING PONDS ARE ADEQUATELY
6 DESIGNED FOR A HUNDRED YEAR TYPE OF STORM EVENT, BUT WE
7 DIDN'T SEE THE DEVELOPMENTS OF THAT -- OF THE EVIDENCE THAT
8 WOULD PREVENT THEM FROM HAVING TO BE PERMITTING.

9 COMMISSIONER PEDERSEN: THANK YOU.

10 COMMISSIONER CAMPBELL: ALSO, MS. ERICKSON, WERE
11 THESE COMMENTS THEN ALSO SUPPLIED TO THE BUREAU OF LAND
12 MANAGEMENT WITH RESPECT TO THEIR EIS PROCESS?

13 MS. ERICKSON: I DOUBT IT. SINCE WE RECEIVED THE
14 EIR IN SEPTEMBER OF '98 AND WE'VE JUST FINISHED OUR COMMENT
15 PROCESS OR OUR INTERNAL PROCESS. AS I SAID LAST, NIGHT WAS
16 THE DAY THAT WE DELIVERED THE COMMENTS. SO I'D BE HAPPY TO
17 PROVIDE THEM WITH COMMENTS, BUT I DON'T THINK THEY HAVE
18 RECEIVED IN ANTICIPATION OF THIS HEARING, NO.

19 COMMISSIONER CAMPBELL: BUT THE EIR IS UNDER THE
20 SEQUA PROCESS, THE EIS IS UNDER THE NEPA PROCESS, AND I
21 JUST WANTED TO MAKE SURE THAT YOU DID --

22 MS. ERICKSON: WE HAVEN'T REVIEWED THE EIS. WE'VE
23 ONLY REVIEWED THE EIR.

24 COMMISSIONER CAMPBELL: ALL RIGHT. WELL, I WOULD
25 SUGGEST THAT THEY ALSO BE A PART OF THAT PROCESS. YOU
26 KNOW, IN LIGHT OF THE FACT THAT THEY'RE GOING TO BE TAKING
27 SOME ENVIRONMENTAL ACTION AND APPARENTLY ADOPTING AN EIS SO
28 THAT IT'S COMPREHENSIVE ON BOTH SIDES. OKAY, THANKS VERY

1 MUCH.

2 ALL RIGHT, IS THERE ANYONE ELSE -- WELL, I
3 GUESS THEN ACTUALLY PROCEDURALLY I SHOULD ASK IF ARE THERE
4 OTHER STATE OR LOCAL OFFICIALS WHO WOULD LIKE TO SPEAK WITH
5 RESPECT TO THIS PROJECT. OKAY, WOULD YOU PLEASE COME
6 FORWARD. STATE YOUR NAME FOR THE RECORD. NAME AND ADDRESS
7 FOR THE RECORD AND SIGN IN. YOU CAN SIGN IN AFTERWARDS.
8 YOU CAN JUST TELL.

2

9 MR. BERTONI: GOOD AFTERNOON CHAIR AND MEMBERS OF
10 THE REGIONAL PLANNING COMMISSION. MY NAME IS VINCE BERTONI
11 AND I'M THE PLANNING MANAGER FOR THE CITY OF SANTA CLARITA.

12 COMMISSIONER CAMPBELL: VINCE -- WHAT'S YOUR LAST
13 NAME AGAIN?

14 MR. BERTONI: BERTONI.

15 COMMISSIONER CAMPBELL: BERTONI.

16 MR. BERTONI: B-E-R-T-O-N-I. AND AS THE LAST
17 SPEAKER WE'RE NOT HERE SPEAKING IN FAVOR OR AGAINST, WE'RE
18 HERE UNDER AGENCY COMMENT AT THIS TIME. WE PREPARED ABOUT
19 AN 18-PAGE REPORT, A LETTER IN RESPONSE TO THE DRAFTING OF
20 THE ENVIRONMENTAL IMPACT REPORT THAT WE SUBMITTED TO YOUR
21 STAFF. WE'RE JUST HERE TO LET YOU KNOW THAT WE'RE
22 AVAILABLE TO ANSWER ANY QUESTIONS AND ALSO TO THANK THE
23 COMMISSION FOR EXTENDING THE COMMENT PERIOD. WE ARE
24 ANTICIPATING THAT WE'LL PROVIDE FURTHER WRITTEN COMMENTS TO
25 YOUR STAFF DURING THIS EXTENDED PUBLIC COMMENT PERIOD.
26 THANK YOU.

27 COMMISSIONER CAMPBELL: THANK YOU VERY MUCH. ANY
28 QUESTIONS? ARE THERE ANY OTHER PROPONENTS OF THE PROJECT

1 THAT WOULD LIKE TO SPEAK AT THIS TIME. THAT IS PERSONS
2 THAT WOULD LIKE TO SPEAK IN SUPPORT OF THE PROJECT. IF
3 YOU'D LIKE TO PLEASE COME FORWARD AT THIS TIME. I'D LIKE
4 TO ASK ANY PROPONENTS THAT THEY NOT REPEAT WHAT THE
5 APPLICANT HAS STATED. AND IF THEY HAVE NEW THINGS THEY'D
6 LIKE TO TESTIFY TO WE'RE HAPPY TO HEAR THAT, BUT WE DON'T
7 WANT TO HEAR THE SAME THING THE APPLICANT TOLD US. PLEASE
8 STATE YOUR NAME AND ADDRESS FOR THE RECORD.

3

9 MR. WILSON: MY NAME IS TIM WILSON WITH T.W.
10 CONSTRUCTION. ADDRESS IS 1111 EAST COMMONWEALTH. IT'S IN
11 FULLERTON, CALIFORNIA.

12 COMMISSIONER CAMPBELL: OKAY, MR. WILSON, CAN YOU
13 PLEASE SPEAK LOUDER. PEOPLE IN THE BACK ARE UNABLE TO HEAR
14 YOU.

15 MR. WILSON: IF I MOVE FORWARD MAYBE THAT WILL
16 WORK. IS THAT BETTER?

17 COMMISSIONER CAMPBELL: LET ME SEE. TRY IT.

18 MR. WILSON: HOUSE THAT?

19 COMMISSIONER CAMPBELL: IT'S SEEMS -- YES, THEY'RE
20 NODDING. THANK YOU.

21 MR. WILSON: OUR COMPANY IS INVOLVED IN PROVIDING
22 CONSTRUCTION SERVICES FOR TMC. WE'VE BEEN DOING THIS FOR
23 SEVERAL YEARS NOW AND I THINK IT LENDS AS A UNIQUE
24 PERSPECTIVE ON THEIR PRACTICES AND THE WAY THEY DO
25 BUSINESS. WE'VE FOUND THEM TO BE ENVIRONMENTALLY
26 RESPONSIBLE, AS WELL AS GOOD NEIGHBORS TO THE SURROUNDING
27 BUSINESSES AND RESIDENTS IN SITES WITH RESIDENTS MUCH
28 CLOSER THAN WOULD BE IN THE SOLEDAD CANYON AREA. FOR

1 EXAMPLE, AT THE AZUZA SITE WHERE WE'VE BEEN WORKING FOR
2 SEVERAL YEARS THEY CONSTANTLY HAVE THEIR STREET SWEEPER
3 SWEEPING THE AREA. THEY'RE NOT NECESSARILY -- DON'T HAVE
4 TO DO THIS BY LAW, IT'S BY CHOICE TO BE A GOOD NEIGHBOR.

5 THE REALITY OF MOM AND POP TYPE MINING
6 OPERATIONS RAN BY SMALLER COMPANIES THEY LACK RESOURCES TO
7 MITIGATE ENVIRONMENTAL CONCERNS WHEN THEY MAY COME UP, AND
8 THEY TYPICALLY DON'T ALLOW ENOUGH RESOURCES WHEN THE TIME
9 COMES TO RECLAIM THE PROPERTY. I THINK THERE WAS A MENTION
10 OF IT EARLIER THAT THERE WAS WITH A PREVIOUS MINING
11 OPERATION AT THIS LOCATION. AND, AS YOU CAN SEE, THERE'S
12 BEEN NO RECLAMATION, AND THAT'S TYPICAL OF THAT TYPE
13 OPERATION. THEY JUST DON'T HAVE THE RESOURCES BACKING THEM
14 UP TO CURE THE PROBLEM LATER ON TO RECLAIMING THE LAND.

15 I CAN SPEAK FROM PERSONAL EXPERIENCE WORKING
16 WITH TRANSIT MIXED THAT THEY ARE A RESPONSIBLE COMPANY WITH
17 MORE THAN ENOUGH RESOURCES AVAILABLE TO MEET BOTH OF THESE
18 NEEDS, AND ALLEVIATE ANY PUBLIC CONCERN WITH RESPECT TO
19 RECLAMATION. WE'VE SEEN SOME LEAFLETS THAT HAVE BEEN
20 DISTRIBUTED OUT THROUGHOUT THE -- I THINK IT'S AGUA DULCE
21 AND THE ACTON AREA WITH REGARDS TO POTENTIAL FUGITIVE DUST
22 GOING EIGHT TO 10 MILES FROM THE PROPOSED SITE. I'VE BEEN
23 IN AND AROUND THE MATERIAL HANDLING BUSINESS FOR OVER 20
24 YEARS AND I CAN ASSURE YOU THAT THIS IS WITHOUT
25 FOUNDATION. IT'S -- IT'S ALMOST IMPOSSIBLE FOR THAT TO
26 HAPPEN. AND I KNOW THAT THERE ARE THINGS IN PLAY SUCH AS
27 HND STANDARDS THAT WOULD MAKE THAT ILLEGAL TO HAPPEN, SO I
28 JUST WANTED TO KIND OF DISPEL THAT RUMOR FIRST.

1 IN CLOSING I'D LIKE TO SPEAK ABOUT THE
2 ECONOMIC SIDE OF THIS ISSUE. GIVEN THE NEW HOUSING STARTS
3 IN SOUTHERN CALIFORNIA, THE AMOUNT OF ROADS AND FREEWAYS
4 GOING ON THE DEMAND FOR THIS MATERIAL IS GREAT. MANY OF
5 THE GOOD PAYING JOBS IN THE L.A. AREA HAVE BEEN LOST TO
6 FOREIGN COMPANIES LIKE THE ELECTRONICS AND MANUFACTURING
7 INDUSTRY. THE NEED FOR THIS MATERIAL COULD AND WILL BE MET
8 BY FOREIGN PRODUCERS IF WE DON'T ALLOW THESE RESOURCES TO
9 BE MINED. JUST LIKE THE COAL AND THE STEEL INDUSTRY WE'VE
10 LOST A LOT OF THAT TO FOREIGN INDUSTRY. THIS DOESN'T PUT
11 ANY MONEY IN ANY OF OUR POCKETS, THIS DOESN'T PAY OUR
12 EMPLOYEES, IT DOESN'T HELP THE ECONOMY IN ANY WAY THE ALL.
13 IT GOES TO OTHER COUNTRIES TO HELP THEM.

14 THE OPENING OF THE SITE WOULD ALLOW MANY
15 OTHER BUSINESSES TO EMPLOY OTHER PEOPLE SUCH AS OURSELVES.
16 WE'RE ABLE TO HAVE GREATER STAFF DUE TO THE WORK THAT WE DO
17 FOR TRANSIT MIXED. THERE ARE PEOPLE THAT DO WORK FOR US
18 THAT HAVE LARGER STAFF AND MORE JOBS, MORE EMPLOYMENT. I
19 URGE YOU TO ALLOW THIS PERMIT. IT WILL HELP PROVIDE GOOD
20 PAYING JOBS KEPT IN THE L.A. AREA, NOT POOR PAYING JOBS IN
21 SOME FOREIGN COUNTRY WITH LITTLE OR NO ENVIRONMENTAL
22 REGULATIONS AND POTENTIALLY POOR WORKING CONDITIONS. THANK
23 YOU.

24 COMMISSIONER CAMPBELL: THANK YOU.

25 COMMISSIONER PEDERSEN: I HAVE A QUESTION.

26 MR. WILSON, THANK YOU FOR COMING IN. APPRECIATE YOU COMING
27 BY AND SAYING WHAT'S ON YOUR MIND. I JUST HAVE ONE OR TWO
28 QUESTIONS. HOW FAMILIAR ARE YOU WITH THE AREA IN WHICH THE

1 PROPOSED PROJECT IS BEING BUILT.

2 MR. WILSON: I WOULD SAY PRETTY FAMILIAR. I'VE --

3 COMMISSIONER PEDERSEN: WHAT DOES THAT MEAN?

4 MR. WILSON: WELL, I'VE LIVED -- I'M BORN AND RAISED
5 IN SOUTHERN CALIFORNIA.

6 COMMISSIONER PEDERSEN: I'M SPEAKING OF THE AGUA
7 DULCE SANTA CLARITA AREA.

8 MR. WILSON: RIGHT. I DON'T LIVE THERE, I DON'T
9 LIVE IN THAT PROXIMITY, BUT I'VE BEEN TO THOSE AREAS.
10 PERHAPS NOT IN THAT EXACT CITY, BUT --

11 COMMISSIONER PEDERSEN: ARE YOU FAMILIAR WITH WIND
12 CONDITIONS AND SO FORTH OUT THERE?

13 MR. WILSON: I KNOW THERE'S A HIGH PREVAILING WIND,
14 BUT STILL IN THAT FACT I DO NOT BELIEVE THAT THERE'S ANY
15 POSSIBILITY OF THIS MATERIAL FLYING THAT TYPE OF DISTANCE
16 JUST BECAUSE OF MY --

17 MR. PEDERSEN: THANK YOU. THANK YOU FOR YOUR TIME.
18 THANK YOU.

19 COMMISSIONER CAMPBELL: WOULD MORE PEOPLE LIKE TO
20 SPEAK IN SUPPORT OF THE PROJECT PLEASE COME FORWARD. I CAN
21 TAKE TWO AT A TIME.

22 **4** MS. MINERVA: MY NAME IS SHARON MINERVA, I'M WITH --

23 COMMISSIONER CAMPBELL: I'M SORRY. SHARON WHAT?

24 MS. MINERVA: MINERVA. M-I-N-E-R-V-A. I'M WITH
25 C.A. RASMUSSEN. MY ADDRESS IS 2360-A SHASTA WAY, SIMI
26 VALLEY, CALIFORNIA. AND, FOR THE RECORD, I'M VERY FAMILIAR
27 WITH THE AREA AND DID ACTUALLY WORK DIRECTLY ACROSS THE
28 STREET FROM THE PROPOSED SITE FOR A FEW YEARS FROM '89 TO

1 '91.

2 I APPRECIATE THE OPPORTUNITY TO ADDRESS YOU
3 TODAY ON THE SUPPORT OF THE PROJECT. RASMUSSEN IS ENGAGED
4 IN THE BUSINESS OF GRADING, CONSTRUCTING ROADS, BUILDING
5 INFRASTRUCTURE PROJECTS THROUGHOUT THE SOUTHERN CALIFORNIA
6 AREA AND PARTICULARLY IN THE SANTA CLARITA VALLEY. MANY OF
7 THE ROADS AND PUBLIC WORKS PROJECTS THAT WE HAVE
8 CONSTRUCTED IN THE PAST HAVE UTILIZED GRAVEL DEVELOPED FROM
9 THE SITE DURING PREVIOUS MINING OPERATIONS CONDUCTED SINCE
10 THE LATE 1960S. CONSIDERING THE FUTURE GROWTH PREDICTED IN
11 THE CITY OF SANTA CLARITA AND IN THE SANTA CLARITA VALLEY
12 IT IS THE ESSENTIAL THAT A LOCAL SUPPLY OF AGGREGATE
13 MATERIALS BE LOCALLY AVAILABLE.

14 RASMUSSEN THROUGH THE YEARS HAS CONDUCTED
15 BUSINESS WITH TRANSIT MIXED CONCRETE COMPANY, AND WE KNOW
16 THEM TO BE A PROFESSIONAL, CAREFUL OPERATOR WHO'S CONCERNED
17 WITH SAFETY AND ENVIRONMENTAL ISSUES. WE NEED MINING TO
18 OCCUR AND WE NEED RESPONSIBLE MINING OPERATORS LIKE TRANSIT
19 MIXED CONCRETE TO DO THE NECESSARY MINING AND RECLAMATION.
20 THIS SITE HAS NOT HAD ANY RECLAMATION ACTIVITY OR PERMITTED
21 RECLAMATION. WE URGE YOUR SUPPORT THIS PROJECT. I HAVE A
22 ANOTHER COMMENT. I HEARD EARLIER IN THE PRESENTATION THAT
23 TRANSIT MIXED EXPECTS TO PRODUCE 1.4 MILLION TONS PER YEAR
24 FOR THE FIRST 10 YEARS. RASMUSSEN EXPECTS TO USE IN EXCESS
25 OF THAT IN THE REMAINDER OF THIS YEAR IN THE SANTA CLARITA
26 VALLEY AREA.

27 COMMISSIONER CAMPBELL: THANK YOU. DOES ANYONE --
28 ALL RIGHT, NEXT SPEAKER PLEASE.

1 MR. CAMPBELL: MY NAME IS BILL CAMPBELL. I'M A
2 DEGREED ENGINEER AND I DEPEND ON THE AGGREGATE INDUSTRY FOR
3 MY LIVELIHOOD. THE BRANCH THAT I MANAGE EMPLOYS 14
4 PEOPLE. IF I LOST THE BUSINESS GENERATED BY THE AGGREGATE
5 INDUSTRY I WOULD HAVE TO LET AT LEAST FIVE OF THOSE PEOPLE
6 GO. AS A GROUP WE SELL OVER \$2.5 MILLION DOLLARS OF
7 PRODUCT A YEAR TO THIS INDUSTRY. THESE PRODUCTS ARE ALL
8 MANUFACTURED BY OTHER COMPANIES, MOST OF THEM AMERICAN
9 COMPANIES AGAIN EMPLOYING PEOPLE LIKE YOU AND ME AND THE
10 PEOPLE YOU SEE IN THIS ROOM. MANUFACTURING INDUSTRIES ARE
11 THE LIFE BLOOD OF OUR LIFE-STYLE. WITHOUT THE AGGREGATE
12 INDUSTRY WE HAVE NO ROADS, NO BRIDGES, NO FACTORIES, NO
13 WAREHOUSES, NO PAVEMENT, NO SCHOOLS, NO PATIOS. THIS
14 INDUSTRY AS A WHOLE IS VERY RESPONSIBLE, AND SOUTH DOWNS AS
15 A COMPANY IS ONE OF THE MOST ENVIRONMENTALLY CONSCIOUS.

16 I PERSONALLY SUPPLY THIS COMPANY WITH
17 EQUIPMENT AND SYSTEMS DESIGNED TO KEEP DUST IN ITS PLACE
18 AND NOT IN THE AIR. THEY ARE VERY COGNIZANT OF NOISE AND
19 ITS EFFECT ON THEIR NEIGHBORS. AS A COMPANY THEY RECOGNIZE
20 THE IMPORTANCE OF BEING GOOD NEIGHBORS. LASTLY, UNLIKE
21 MOST OTHER INDUSTRIES THEY CANNOT PICK AND CHOOSE THE SITE
22 TO SET UP THEIR BUSINESS. ONLY CERTAIN GEOLOGICAL
23 CONDITIONS PRESENT THE RIGHT MATERIALS, AND THESE SITES ARE
24 FAST DISAPPEARING UNDER HOMES, UNDER FACTORIES, UNDER
25 ROADS. THIS SITE IN SOLEDAD CANYON HAS THE MATERIAL, THE
26 LOCAL ECONOMY WILL BENEFIT FROM SOUTH DOWNS BEING, AND YEARS
27 FROM NOW WHEN THEY HAVE EXHAUSTED THE SUPPLY OF THE
28 MATERIAL THE RECLAMATION EFFORTS ALMOST ALWAYS RESTORE THE

1 MR. CAMPBELL: MY NAME IS BILL CAMPBELL. I'M A
2 DEGREED ENGINEER AND I DEPEND ON THE AGGREGATE INDUSTRY FOR
3 MY LIVELIHOOD. THE BRANCH THAT I MANAGE EMPLOYS 14
4 PEOPLE. IF I LOST THE BUSINESS GENERATED BY THE AGGREGATE
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7 PRODUCT A YEAR TO THIS INDUSTRY. THESE PRODUCTS ARE ALL
8 MANUFACTURED BY OTHER COMPANIES, MOST OF THEM AMERICA
9 COMPANIES AGAIN EMPLOYING PEOPLE LIKE YOU AND ME AND THE
10 PEOPLE YOU SEE IN THIS ROOM. MANUFACTURING INDUSTRIES ARE
11 THE LIFE BLOOD OF OUR LIFE-STYLE. WITHOUT THE AGGREGATE
12 INDUSTRY WE HAVE NO ROADS, NO BRIDGES, NO FACTORIES, NO
13 WAREHOUSES, NO PAVEMENT, NO SCHOOLS, NO PATIOS. THIS
14 INDUSTRY AS A WHOLE IS VERY RESPONSIBLE, AND SOUTH DOWN AS
15 A COMPANY IS ONE OF THE MOST ENVIRONMENTALLY CONSCIOUS.

16 I PERSONALLY SUPPLY THIS COMPANY WITH
17 EQUIPMENT AND SYSTEMS DESIGNED TO KEEP DUST IN ITS PLACE
18 AND NOT IN THE AIR. THEY ARE VERY COGNIZANT OF NOISE AND
19 ITS EFFECT ON THEIR NEIGHBORS. AS A COMPANY THEY RECOGNIZE
20 THE IMPORTANCE OF BEING GOOD NEIGHBORS. LASTLY, UNLIKE
21 MOST OTHER INDUSTRIES THEY CANNOT PICK AND CHOOSE THE SITE
22 TO SET UP THEIR BUSINESS. ONLY CERTAIN GEOLOGICAL
23 CONDITIONS PRESENT THE RIGHT MATERIALS, AND THESE SITES ARE
24 FAST DISAPPEARING UNDER HOMES, UNDER FACTORIES, UNDER
25 ROADS. THIS SITE IN SOLEDAD CANYON HAS THE MATERIAL, THE
26 LOCAL ECONOMY WILL BENEFIT FROM SOUTH DOWN BEING, AND YEARS
27 FROM NOW WHEN THEY HAVE EXHAUSTED THE SUPPLY OF THE
28 MATERIAL THE RECLAMATION EFFORTS ALMOST ALWAYS RESTORE THE

1 SITE TO A MUCH MORE ATTRACTIVE AND USEFUL THAN IT WAS TO
2 BEGIN WITH. AND I URGE YOU APPROVE THE PROJECT AND I THANK
3 YOU.

4 COMMISSIONER CAMPBELL: THANK YOU, MR. CAMPBELL.

5 NEXT SPEAKER.

6

6 MR. THOMAS: HI. I'M ALLEN THOMAS, I'M AN EMPLOYEE
7 OF SOUTH DOWN TRANSIT MIXED CONCRETE IN AZUZA. I'VE BEEN A
8 RESIDENT OF THE LOS ANGELES AREA SINCE 1959. EXCEPT FOR
9 THE TIME I SPENT IN THE MARINES I'VE LIVED HERE AND WORKED
10 MY WHOLE LIFE. I'VE OWNED -- I'M A CURRENT LICENSED
11 CONTRACTOR IN THE STATE OF CALIFORNIA, I OPERATE TWO SMALL
12 CONTRACTING BUSINESSES, AND, AS YOU KNOW, THE CONTRACTING
13 WORLD TOOK A PRETTY GOOD HIT A WHILE BACK. I FOUND MYSELF
14 DOING WHATEVER I COULD TO MAKE A LIVING. I CAME TO TRANSIT
15 MIXED CONCRETE, FOUND OUT ABOUT IT BY DRIVING A TRUCK
16 THROUGH THERE, AND TALKED TO THE PEOPLE THERE, AND THE THEY
17 AFFORDED ME AN OPPORTUNITY TO BE TRAINED ON HEAVY
18 EQUIPMENT. SINCE THAT TIME I'M NOW THEIR MINING OPERATIONS
19 FOREMAN, AND IN TURN I TRAIN PEOPLE THAT OTHERWISE WOULDN'T
20 HAVE THIS OPPORTUNITY TO BETTER THEIR INCOME.

21 LAST YEAR I DID \$60,000.00. THAT'S MAYBE NOT
22 A LOT OF MONEY IN TODAY'S ECONOMY AS IT USED TO BE, BUT I'M
23 BUYING A NICE TWO-STORY HOME, NICE SWIMMING POOL AND I
24 SUPPORT MY FAMILY COMFORTABLY. IF I GO TO SOLEDAD CANYON
25 AND YOU GUYS APPROVE THAT I'M GOING TO BUY A HOME REAL
26 CLOSE TO THAT PLANT AND I PLAN ON BUYING A NICE HOME. AND
27 THE CONCERNS THAT PEOPLE ADDRESS AS FAR AS ENVIRONMENT AND
28 EVERYTHING, WE HAVE THE SAME CONCERNS. WE'LL BE GOING --

1 YOU KNOW, OUR KIDS WILL BE IN YOUR SAME SCHOOLS, ATTENDING
2 THE SAME CHURCHES, AND I JUST WANTED TO VOICE THAT
3 OPINION. WE'LL BE MOVING OUT THERE, WE'LL BE YOUR
4 NEIGHBORS. SO IF ANYBODY HAS ANY CONCERNS TAKE THE TIME TO
5 TALK TO MYSELF OR OTHER PEOPLE THAT WILL BE MOVING OUT
6 THERE AND WE CAN WORK THINGS OUT.

7 I'M JUST AS EQUALLY CONCERNED ABOUT
8 ENVIRONMENTAL IMPACTS, VISUAL IMPACTS. NOT ONLY WILL I BE
9 WORKING THERE, I'LL BE LIVING THERE IN THAT VERY CLOSE
10 REGION. SO I JUST WANTED TO PUT FORTH THAT OPINION. YOUR
11 SUPPORT ON IT WOULD FINANCIALLY ON MINE AND MY FAMILY BE
12 GREATLY APPRECIATED. THANKS FOR YOUR TIME.

13 COMMISSIONER CAMPBELL: THANK YOU. NEXT SPEAKER.
14 COULD YOU STATE YOUR NAME AND ADDRESS FOR THE RECORD
15 PLEASE.

7
16 MR. GAUN: MY NAME IS BILL GAUN AND I LIVE AT 4068
17 POMONA STREET, VENTURA, CALIFORNIA. I'M A REPRESENTATIVE
18 OF QUINN COMPANY. WE'RE THE DEALER FOR CATERPILLAR
19 CONSTRUCTION AND THE MINING EQUIPMENT. QUINN COMPANY
20 EMPLOYS APPROXIMATELY 611 PEOPLE THROUGHOUT CENTRAL AND
21 SOUTHERN CALIFORNIA. I'VE HAD THE PLEASURE TO WORK WITH
22 SOUTH DOWN CORPORATION IN SALES AND SERVICE OF THEIR HEAVY
23 MINING EQUIPMENT. ONE OF THE TOPICS THAT'S ALWAYS BEEN
24 IMPORTANT TO ME IS OUR ENVIRONMENT. THE FOUR YEARS I'VE
25 HAD THE PLEASURE TO DO BUSINESS WITH SOUTH DOWN CORPORATION
26 THEY HAVE ALWAYS EXPRESSED CONCERNS WITH THE EMISSION
27 STANDARDS OF CATERPILLAR EQUIPMENT AND HAVE CHOSEN TO BUY
28 OUR PRODUCT BECAUSE OUR EQUIPMENT MEETS EMISSION STANDARDS

1 THROUGH THE YEAR 2004.

2 SOUTH DOWN HAS NOT ONLY BEEN CONCERNED WITH
3 THE EMISSIONS OF OUR ENGINES, BUT ALSO OUR COMPANY'S
4 ABILITY TO HANDLE AND DISPOSE OF THEIR HAZARDOUS WASTES
5 SUCH AS OILS AND ANTIFREEZES. THEY HAVE PROVEN TO ME THAT
6 OUR ENVIRONMENT IS JUST AS IMPORTANT TO THEM AS IT IS TO
7 US. I AM PROUD TO STAND UP HERE AND SPEAK ON THEIR BEHALF
8 AS BECAUSE I FEEL THEY ARE A VERY CONSCIENTIOUS COMPANY AND
9 ARE CONCERNED ABOUT MORE THAN JUST BIG PROFITS. THEIR
10 COMPANY PRODUCES PRODUCTS THAT OUR COMMUNITY NEEDS AND USES
11 ON A DAILY BASIS. THEY DO THIS IN A MANNER IN WHICH
12 ENVIRONMENT AND COMMUNITY ARE IMPORTANT TO THEM. I FEEL
13 SOUTH DOWN CORPORATION WOULD BE AN ASSET TO THE COMMUNITY,
14 NOT ONLY CREATING JOBS, BUT BRINGING REVENUE TO THE
15 COMMUNITY. THANK YOU VERY MUCH.

8

16 COMMISSIONER CAMPBELL: THANK YOU. NEXT SPEAKER.

17 MR. POWELL: MY NAME IS THOMAS POWELL. I LIVE AT
18 22408 CYPRESS PLACE, SANTA CLARITA. I'VE BEEN EMPLOYED BY
19 TRANSIT MIXED CONCRETE COMPANY FOR OVER 18 YEARS. I BOUGHT
20 MY FIRST HOME, FIRST HOME I EVER OWNED, IN SANTA CLARITA.
21 I'M ON MY SECOND HOME NOW. I'VE LIVED IN SANTA CLARITA
22 OVER 15 YEARS. MY CHILDREN WERE BOTH BORN IN SANTA
23 CLARITA. I CURRENTLY MANAGE THE SOUTH DOWN MOORPARK MINING
24 OPERATION. IF THE SOLEDAD PROJECT IS APPROVED I'LL BE
25 MANAGING THIS SITE. I'M HERE TODAY TO ASSURE YOU THAT
26 TRANSIT MIXED CONCRETE AND SOUTH DOWN OPERATES THEIR
27 FACILITIES IN A SAFE AND ENVIRONMENTALLY RESPONSIBLE
28 MANNER. I CAN ALSO ASSURE YOU AS A LONG TERM RESIDENT OF

1 THE AREA AND MANAGER OF THE FACILITY THAT ANY CONDITIONS
2 WHICH ARE PLACED ON THE PROJECT WILL BE STRICTLY ADHERED
3 TO.

4 ADDITIONALLY, I'D LIKE TO PERSONALLY
5 ACKNOWLEDGE WHAT BOB SELLS SAID EARLIER. SOUTH DOWN IS
6 ACTIVE IN THE COMMUNITIES IN WHICH THEY ARE LOCATED. EACH
7 YEAR MY PERFORMANCE REVIEW INCLUDES MY CONTRIBUTION AND
8 SERVICE TO OUR LOCAL COMMUNITIES WHICH FOR ME CURRENTLY IS
9 MOORPARK. AS FAR AS THE WINDS, MR. PEDERSEN BROUGHT UP THE
10 WINDS IN SANTA CLARITA, I'M VERY WELL AWARE OF THE WIND
11 SITUATION IN SANTA CLARITA, I WOULD SAY WE PROBABLY HAVE
12 THE SAME SITUATION AT OUR MOORPARK FACILITY. AND IT'S MORE
13 OF A SAND OPERATION, SO I HAVE MORE OF A CHALLENGE AS FAR
14 AS KEEPING PARTICULANT MATTER ON THE SITE, AND THE WATER
15 TRUCK, AND JUST KEEPING IT RUNNING, AND USING WATER GOES A
16 LONG WAY TO MITIGATE ANY DUST. THANK YOU FOR YOUR TIME.

17 9 COMMISSIONER CAMPBELL: THANK YOU. NEXT SPEAKER.

18 MR. AVILA: OKAY, MY NAME IS PHILLIP AVILA. ADDRESS
19 343 LOS SERANOS DRIVE, FILMORE, CALIFORNIA. I'M THE
20 PRODUCTION FOREMAN OVER AT THE MOORPARK FACILITY, AND I'D
21 LIKE TO HAVE THEM IN VENTURA COUNTY THERE. SOUTH DOWN AS
22 FAR AS THE WAGES AND STUFF IS NOT A COMPANY THAT BRINGS IN
23 PEOPLE AT MINIMUM WAGES. THEIR WAGES ARE ANY RANGE FROM 13
24 TO \$20.00 AN HOUR, WHICH IS A PRETTY GOOD INCOME FOR A
25 COMMUNITY.

26 I'D ALSO LIKE TO ADD IN VENTURA COUNTY WE'RE
27 OUT OF ONE-INCH ROCK BASICALLY, SO WE BRING IT IN FROM
28 PALMDALE AREA, AND I'D HATE TO SEE THAT HAPPEN IN THE SANTA

1 CLARITA AREA. THE COST GOES UP AND EVERYTHING. AS FAR AS
2 THE COMPANY AS SAFETY AND EVERYTHING I CAN TELL YOU THEY'RE
3 A VERY SAFETY ORIENTED COMPANY AS FAR AS THE EMPLOYEES AND
4 THE COMMUNITY AROUND THEM, THE HOMES AROUND THE PLACE, AND
5 THEY DO LOOK AT THAT STRONGLY. I THINK THIS PROJECT WOULD
6 BE EXCELLENT FOR SANTA CLARITA. AS YOU KNOW, I DO MY
7 SHOPPING THERE SOMETIMES, AND YOU GO OVER THERE AND HEAVY
8 RUNNING AROUND EVERYWHERE. THERE'S A LOT OF BUILDING SO
9 YOU GUYS KNOW YOU NEED THE MATERIAL. ANYWAYS, THANK YOU.

10 COMMISSIONER CAMPBELL: THANK YOU. MR. AVILA.

11 OKAY, MORE SPEAKERS IN FAVOR OF THE PROJECT.

10

12 MR. ECKRUT: PARDON ME.

13 COMMISSIONER CAMPBELL: SPEAKING IN FAVOR OF THE
14 PROJECT.

15 MR. ECKRUT: YES.

16 COMMISSIONER CAMPBELL: PLEASE STATE YOUR NAME AND
17 ADDRESS FOR THE RECORD.

18 MR. ECKRUT: I'M LARRY ECKRUT, I'M PRESIDENT OF
19 CENTURY SAND AND GRAVEL, 715 FAIRWAY DRIVE, CITY OF
20 INDUSTRY, CALIFORNIA. I BUY SAND AND GRAVEL FROM ALL THE
21 MAJOR PRODUCERS IN SOUTHERN CALIFORNIA THAT DELIVER IT TO
22 YOUR PARKS, YOUR SCHOOLS. WE'RE A TRUCKING COMPANY THAT
23 DELIVERS THE MATERIAL TO THE PLACES THAT HAVE CONSTRUCTION
24 PROJECTS GOING ON, AND I BUY FROM ALL THE MAJOR PRODUCES IN
25 SOUTHERN CALIFORNIA, TRANSIT MIXED IS ONE OF THOSE.

26 ON EVERY DAY THERE'S, EVEN NOW IN WINTER IT'S
27 BEEN KIND OF SLOW, NOT ONE OF THE PRODUCERS THAT'S NOT OUT
28 OF ONE OF THESE AGGREGATES THAT WE NEED TO BUILD THESE

1 THINGS WITH. THE SAND AND GRAVEL INDUSTRY IN SOUTHERN
2 CALIFORNIA IS IN KIND OF A SHORTAGE RIGHT NOW EVEN. IF WE
3 DON'T SUPPORT THE PRODUCERS, THE MAJOR PRODUCERS THAT'S
4 MAKING THE SAND AND GRAVEL, I CAN'T DELIVER TO THE
5 CONSTRUCTION PROJECTS. WE NEED SAND AND GRAVEL TO CONTINUE
6 TO BUILD THIS END OF THE STATE, AND I EXPERIENCE IT EVERY
7 DAY. WE HAVE A SHORTAGE GOING ON. WE NEED MORE OF THE BIG
8 PRODUCERS TO PRODUCE MORE ROCK. I'M IN FAVOR OF THIS.
9 THANK YOU.

10 COMMISSIONER CAMPBELL: THANK YOU VERY MUCH. ALL
11 RIGHT, AT THIS TIME WE'RE REALLY RUNNING CLOSE TO BEING OUT
12 OF TIME, BUT I THINK WE CAN TAKE A COUPLE OF OPPOSITION
13 TESTIMONY AT THIS TIME.

14 COMMISSIONER PEDERSEN: I HAVE ABOUT A FIVE-MINUTE
15 PRESENTATION TO MAKE ALSO, AND THE OPPOSITION -- I DON'T
16 KNOW IF THEY WERE PREPARED TO COME TODAY, BUT I THINK
17 THEY'LL BE BETTER PREPARED FOR THE NEXT TIME, AND WE CAN
18 FINISH ON TIME HERE IF I DID MY THING NOW.

19 COMMISSIONER CAMPBELL: WELL, I MEAN, IT DEPENDS ON
20 WHAT THE COMMISSION'S PLEASURE IS.

21 COMMISSIONER PEDERSEN: IF YOU'RE GOING TO CLOSE AT
22 NOON ALL I NEED IS FIVE MINUTES AT THE END. EITHER WAY
23 WHATEVER YOU DO IS FINE.

24 COMMISSIONER TOY: MADAM CHAIRMAN PERHAPS YOU CAN
25 ASK IF THERE ARE ANY PEOPLE WHO'VE COME HERE FOR OPPOSITION
26 TESTIMONY THE WHO CANNOT EITHER MEET AT ANOTHER MEETING. I
27 THINK COMMISSIONER PEDERSEN IS PROBABLY GOING TO SUGGEST
28 THAT WE HAVE A COMMISSION MEETING OUT IN THE COMMUNITY.

1 COMMISSIONER CAMPBELL: YEAH. HE SAID EARLIER THAT
2 HE'S GOING TO PROPOSE TO CONTINUE THE PUBLIC HEARING.

3 A VOICE: JUST A QUESTION ON THAT --

4 COMMISSIONER CAMPBELL: EXCUSE ME, MA'AM, I'M
5 SORRY. YOU CAN'T SPEAK OUT OF TURN WE'RE TRYING TO FIGURE
6 THIS OUT. MAYBE WHAT WE SHOULD DO IS IF THERE ARE PEOPLE
7 WHO FEEL THAT THEY ARE NOT GOING TO BE ABLE TO COME BACK
8 FOR THE CONTINUED PUBLIC HEARING I'D LIKE TO TAKE THOSE
9 PEOPLE NOW, INCLUDING YOU IF YOU WANT TO ASK A QUESTION,
10 AND THEN MR. PEDERSEN. WE SAID WE WERE GOING TO CLOSE AT
11 ABOUT NOON, BUT MAYBE WE'LL RUN OVER A FEW MINUTES.

12 COMMISSIONER PEDERSEN: JUST GIVE ME FIVE MINUTES.

13 COMMISSIONER CAMPBELL: SO ANYONE WHO FEELS THAT
14 THEY ARE NOT GOING TO BE ABLE TO COME TO THE CONTINUED
15 PUBLIC HEARING AND WOULD LIKE TO SPEAK NOW PLEASE COME
16 FORWARD. WE'RE LOOKING AT A JULY 14TH CONTINUATION DATE.
17 I GUESS THAT WOULD BE PRETTY IMPORTANT TO KNOW. OKAY,
18 PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

19 **11** MR. LARSON: GOOD MORNING. MY NAME IS STEWART
20 LARSON. 14215 WEST EVERGLADES COURT, CANYON COUNTRY. I
21 LIVE DIRECTLY -- ALMOST DIRECTLY ADJACENT TO THE PROPERTY.
22 IT'S ACROSS THE FREEWAY ABOUT WHERE THE LOWER CORNER OF
23 THAT MAP IS. AND I HAVE A -- I'LL TRY TO KEEP IT SHORT,
24 BUT MY BIGGEST CONCERN IN ADDITION TO ALL THE FIRE HAZARD
25 AND THE NOISE FROM THE DETONATIONS AND ALL OF THE TRAFFIC
26 MY BIGGEST CONCERN IS THE AIR QUALITY. AND TAKEN DIRECTLY
27 FROM THE EIR IT STATES NUMEROUS TIMES THAT NITROGEN OXIDES,
28 REACTIVE ORGANICS, PM-10 EXCEED SEQAMB THRESHOLDS IN PHASES

1 ONE AND TWO, CARBON MONOXIDE EMISSIONS EXCEED THRESHOLDS IN
2 PHASE TWO. AND IT SAYS EVEN -- HOWEVER, EVEN AFTER
3 MITIGATION IMPACTS ON AIR QUALITY REMAIN SIGNIFICANT. THE
4 SIGNIFICANT RECURS THROUGHOUT THIS REPORT WHEN IT TALKS
5 ABOUT AIR QUALITY.

6 I HAVE TWO LITTLE KIDS, WE BOUGHT A HOUSE UP HERE,
7 AND I FIND IT AMAZING THAT THESE PICTURES ARE TAKEN IN 1991
8 AND THE REPORT HAS MAPS AND DRAWINGS THAT ARE NOT TO SCALE,
9 AND THE NOWHERE DOES IT MAKE ANY MENTION OF OUR COMMUNITY
10 WHICH IS VERY, VERY CLOSE TO THIS. AND THAT'S SOMETHING
11 THAT HAS EITHER BEEN GLOSSED OVER OR IT WAS ADDRESSED EARLY
12 ENOUGH IN THE PROCESS THAT IT WAS BEFORE ANY OF THESE
13 HOUSES WERE BUILT. AND I KNOW IT WAS DIFFICULT FOR PEOPLE
14 TO COME. I TOOK A TIME OFF WORK, IT'S COSTING ME MONEY,
15 BUT I FEEL THIS IS SO IMPORTANT, IT HAS TO BE ADDRESSED.

16 IT TALKS THROUGHOUT HERE, I WON'T READ YOU
17 ALL OF THIS STUFF, ABOUT HOW MANY -- HOW MUCH THE
18 PARTICULANTS ARE DAMAGING TO KIDS AND THAT THE STANDARDS
19 ARE FREQUENTLY EXCEEDED. IT SAYS -- ALSO, I WANTED TO MAKE
20 A POINT THAT AIR QUALITY IS SO IMPORTANT THAT OUR
21 GOVERNMENT HAS SPENT BILLIONS OF DOLLARS WITH THE SMOG
22 CONTROLS, WE ALL HAVE TO GET OUR CARS SMOG CHECKED. I
23 MEAN, IT'S SO IMPORTANT THAT THE AIR QUALITY BE GOOD
24 ESPECIALLY FOR CHILDREN, AND FAMILIES HAVE BOUGHT THESE
25 HOUSES, HAVE MOVED INTO THESE HOUSES, AND THEY'RE THE ONES
26 THAT ARE GOING TO BE EFFECTED.

27 IT IS VERY, VERY WINDY IN THIS AREA. THE
28 SANTA ANA WINDS COME OUT OF SOLEDAD CANYON, THAT'S ONE OF

1 THE MAIN PASSES FOR SANTA ANA WINDS, RIGHT THROUGH THAT --
2 COMING RIGHT INTO OUR COMMUNITY, BLOWING ALL OF THOSE PM-10
3 PARTICULANTS.

4 COMMISSIONER CAMPBELL: WHAT'S THE NAME OF YOUR
5 COMMUNITY.

6 MR. LARSON: STONE CREST.

7 COMMISSIONER CAMPBELL: STONE CREST.

8 MR. LARSON: YES. I THINK A STUDIES SHOULD BE DONE
9 ABOUT THE WIND PATTERNS. ALL OF THE INFORMATION THAT WAS
10 IN THE EIR WAS DONE AT A SEAQMD MONITORING STATION THAT WAS
11 11 MILES AWAY IN NEWHALL, NOT ANYWHERE NEAR US, AND I THINK
12 THAT THAT'S -- AT THE VERY LEAST WE SHOULD DELAY THIS
13 ENOUGH TO TAKE SOME WIND STUDIES NEAR HERE AND SEE WHERE
14 THESE PARTICULANTS ARE GOING TO END UP. IT'S A HEALTH
15 CONCERN, A VERY MAJOR HEALTH CONCERN.

16 IT'S A MASSIVE PROJECT. TWENTY YEARS IS A
17 LONG TIME. WE'RE ALL GOING TO HAVE TO LIVE WITH THIS.
18 ONCE STARTED WE WON'T BE ABLE TO STOP. WE HAVE TO MAKE
19 ABSOLUTELY SURE OF THE IMPACT THAT THIS WILL HAVE, NOT JUST
20 FIVE YEARS, EIGHT YEARS AGO IN 1991. WHAT'S IT LIKE NOW?
21 YOU KNOW, HOW MANY PEOPLE ARE LIVING THERE NOW? NONE OF
22 THESE THINGS -- THESE DRAWINGS OR MAPS HAVE ANY INDICATION
23 OF OUR COMMUNITY ON IT AND IT'S VERY CLOSE. THE EIR IS
24 INADEQUATE. COMMON SENSE WOULD DICTATE THAT AT THE VERY
25 LEAST FURTHER STUDY WOULD BE WARRANTED BEFORE APPROVAL OF A
26 PROJECT OF THIS MAGNITUDE.

27 COMMISSIONER CAMPBELL: THANK YOU VERY MUCH FOR YOUR
28 TESTIMONY.

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MR. LARSON: THANK YOU.

COMMISSIONER CAMPBELL: NEXT SPEAKER.

MR. KOLSKI: MY NAME IS CHRIS KOLSKI AND I LIVE AT 7945 SAUSALITO AVENUE IN WEST HILLS, CALIFORNIA. I'M THE PRESIDENT OF POLISH CENTER IN LOS ANGELES.

COMMISSIONER CAMPBELL: THE PRESIDENT OF WHAT?

MR. KOLSKI: PRESIDENT OF POLISH CENTER IN LOS ANGELES, A NONPROFIT ORGANIZATION THAT SERVES THE POLISH COMMUNITY, AND WE ARE THE OWNERS OF THE RIVER'S END PARK WHICH IS ADJACENT TO THE PROPOSED PROJECT, AND I THINK THAT BECAUSE WE ARE SO CLOSE WE WILL BE MOST SEVERELY IMPACTED BY THE OPERATIONS PROPOSED ON THAT PROJECT.

THE APPLICANTS TALKED ABOUT BEING GOOD NEIGHBORS AND TALKING TO PEOPLE ABOUT WHAT THEY'RE DOING. WE HAVE BEEN ON THE SITE FOR ALMOST THREE YEARS AND THE PARK EXISTED BEFORE WE WERE THE OWNERS THERE. WE HAVE NEVER BEEN CONTACTED BY THE APPLICANT ALTHOUGH WE ARE ADJACENT NEIGHBORS. WE HAVE NOT EVEN RECEIVED A NOTIFICATION OF THIS HEARING WHICH I THINK IS REQUIRED. AND THERE ARE PROPOSALS MADE OF MITIGATING THE AFFECTS OF THE NOISE BY PUTTING BERMS AND SAND WALLS IN RIVER'S END PARK, AND WE HAVEN'T EVEN TALKED WITH ANYONE ABOUT THAT. I DON'T THINK THAT WE ARE EVEN PREPARED TO SAY WHAT WE SHOULD ON OUR PART BECAUSE WE HAVE NOT KNOWN ABOUT THIS UNTIL A FLYER WAS PASSED AROUND A FEW WEEKS AGO.

DAMAGE THAT WOULD BE CAUSED TO OUR PROPERTY COULD PROBABLY RUN SEVERAL MILLIONS OF DOLLARS. I THINK THE NOISE LEVELS -- WELL, THE BIGGEST PROBLEM WE HAVE IS

1 ABOUT THE WATER USE. DRYING UP THE RIVER. WE DEPEND
2 HEAVILY ON DIVERTING WATER FOR IRRIGATION AND RECREATIONAL
3 PURPOSES FROM THE RIVER. WE USE OF GROUND WATER AS WELL.
4 THIS IS OUR A BIGGEST CONCERN. THE OTHER CONCERNS ARE THE
5 RUNOFF AND WHAT KIND OF POLLUTION YOU'LL CREATE IN THE
6 RIVER. ALSO, THE BLASTING. WE WOULD BE SO CLOSE THAT WE
7 WOULD BE AFFECTED BY THE BLASTING. AND THE TRAFFIC AND THE
8 TRUCKS. THEY PROPOSING UP TO APPROXIMATELY 1200 TRUCKS PER
9 DAY IN THE SECOND PHASE, WHICH MEANS 50 PER HOUR OR ONE
10 EVERY ONE MINUTE ON THAT ROAD, AND IF YOU ADD THE TRAFFIC
11 THAT'S NORMALLY ON THAT ROAD YOU COULD POSSIBLY HAVE
12 CONGESTION IN THE AREA.

13 I THINK THIS PROJECT IS OF SO ENORMOUS THAT
14 IT WILL OBVIOUSLY HAVE SEVERE IMPACT ON US. I DON'T THINK
15 IT'S ONLY -- I UNDERSTAND THERE'S NEED FOR AGGREGATE AND
16 CONCRETE, BUT I DON'T THINK IT'S ONLY ABOUT THAT; I THINK
17 IT'S DOLLARS AND CENTS. I THINK IT'S WHAT WILL IT COST. I
18 THINK IT'S CHEAP AGGREGATE THAT THEY'RE AFTER. I THINK
19 THAT THERE ARE OTHER METHODS, SLOWER METHODS, AND THAT
20 COULD BE EMPLOYED. AND I THINK THAT ESPECIALLY PEOPLE THAT
21 ARE THAT CLOSE SHOULD BE PROTECTED IN SOME WAY. I THINK
22 THAT SOME KIND OF A SEVERAL MILLION DOLLAR BOND SHOULD BE
23 PUT UP BY THE APPLICANTS IN ORDER TO SATISFACTORY ANY
24 DAMAGE THAT MAY RESULT FROM THE OPERATIONS. SO BASICALLY
25 AT THIS POINT I'M AGAINST THE PROJECT.

26 COMMISSIONER CAMPBELL: OKAY, THANK YOU VERY MUCH.
27 WHAT I'M GOING TO DO KNOW IS END THE TESTIMONY FOR TODAY
28 AND RECOGNIZE MR. PEDERSEN FOR YOUR PRESENTATION.

1 COMMISSIONER PEDERSEN: THANK YOU. FIRST, I WANT TO
2 THANK EVERYBODY WHO'S BEEN HERE TODAY. THIS IS AN
3 EMOTIONAL ISSUE WITH A LOT OF PEOPLE ON BOTH SIDES, AND
4 YOU'VE PAID VERY, VERY DIGNIFIED ATTENTION TO ALL THIS AND
5 I APPRECIATE THAT. I CAN TELL THE STENO WE'RE ALMOST
6 THROUGH, YOU'LL BE ABLE TO RELAX YOUR FINGERS MINUTE. ALSO
7 THE -- OUR CHAIR, MS. FELDMAN, ASKED ME TO DO A COUPLE OF
8 THINGS, FIRST FOR THE STAFF. SHE WOULD LIKE TO HAVE A
9 DETAILED MAP OF SANTA CLARA RIVER, WATER INTAKE AND OUTPUT,
10 FACILITIES PROPOSED IN SEA BOUNDARIES. IN ADDITION TO THAT
11 FOR THE STAFF WE'D LIKE TO GET EXAMPLES OF RAIL USE OF
12 SHIPPING AGGREGATES EITHER IN OR OUTSIDE OF THE UNITED
13 STATES.

14 THE NEXT QUESTIONS ARE FOR THE APPLICANT.
15 AND WE'RE GOING TO GIVE THESE TO YOU AND ARE NOT EXPECTING
16 THE ANSWERS NOW, AND THESE ARE FROM THE CHAIRPERSON FIRST.
17 THE AVERAGE DISTANCE AGGREGATE PROVIDES MUST TRAVEL AROUND
18 MAJOR URBAN AREAS IN THE UNITED STATES. SOME OF THESE ARE
19 QUESTIONS YOU MAY HAVE SOME QUESTIONS ON, BUT WE'LL DEAL
20 WITH THAT. WE'LL GIVE THEM TO YOU IN FORM, YOU'LL BE ABLE
21 TO HAVE TIME TO ANSWER THEM. FOR EXAMPLE, IS L.A. COUNTY
22 UNIQUE IN HAVING REGIONALLY SIGNIFICANT RESOURCES NEARBY.
23 THE MAP SHOWING THE NOISE SOUND IMPACTS OF EXPLOSIONS ON
24 NEARBY RESIDENTIAL AREAS. THAT MAY ALREADY BE THERE. A
25 CHART SHOWING TIMING AND NUMBER OF EXPLOSIONS PER DAY, WEEK
26 AND YEAR. THE I KNOW THE DAYS ARE TWICE A WEEK IN THE
27 FIRST 10 YEARS AND FOUR DAYS A WEEK IN THE LAST 10 YEARS.
28 SHE MIGHT WANT MORE THAN THAT. THOSE ARE THE QUESTIONS

1 THAT STAFF WILL GET TO YOU. THE OTHERS ARE MINE, AND I
2 HAVE THESE ALL TYPED OUT, DO NOT EXPECTING AND ANSWER NOW,
3 BUT I WANT TO READ THEM INTO THE RECORD AND THEN GIVE YOU
4 COPY AND INSTRUCT THE CLERK TO DO SO.

5 FIRST QUESTION, IN DEALING WITH ECONOMIC
6 TRENDS AND FORECASTS WHAT RESOURCE AGENCY DATA DO YOU USE?
7 HOW DO YOU FACTOR IN NATURAL DISASTER AND ECONOMIC
8 RECESSION? NUMBER TWO, WHAT PERCENT OF AGGREGATE DEMAND IS
9 BASED ON POPULATION GROWTH AND WHAT PERCENTAGE ON
10 INDUSTRIAL AND HIGHWAY CONSTRUCTION? ARE STATISTICS AND
11 HOUSING STARTS USED? THREE, HOW DO YOU MEASURE OR
12 DETERMINE WHERE THE 25-MILE RANGE KICKS IN RESULTING IN THE
13 ADDITIONAL CHARGE PER TON BEING RAISED? IS IT MEASURED
14 FROM MINING OPERATION SITES OR FROM THE CITY LIMITS?
15 NUMBER FOUR, IN DETERMINING THE IMPACT OF TRIPS MADE BY
16 HEAVY HAULING EQUIPMENT WHAT CRITERIA DO YOU USE TO MAKE
17 TRAFFIC IMPACT COMPARISONS IS THE COMPARISON MADE USING
18 AUTOMOBILE TRIPS OR SOME OTHER METHOD?

19 NUMBER FIVE, WILL LOADED TRUCKS BE WEIGHED
20 PRIOR TO LEAVING THE FACILITY, AND HAVE YOU ESTABLISHED
21 PERMISSIBLE TONNAGE FROM THE HIGHWAY PATROL? ALSO WHO WILL
22 BE RESPONSIBLE TO MAINTAIN THESE LOAD MAXIMUMS. SIX, WHAT
23 PERCENTAGE OF THE TRUCK TRAFFIC WILL COME BETWEEN SEVEN AND
24 9 A.M. AT AND FOUR TO 6 P.M. WHICH ARE CONSIDERED PEAK
25 TRAFFIC HOURS? SEVEN, IN AN EFFORT TO PROTECT THE
26 WILDLIFE BEHIND HANSEN DAMN 110 MILLION TONS OF AGGREGATE
27 RESOURCES ARE NO LONGER AVAILABLE, HAVE YOU DETERMINED THE
28 EFFECT OF WILDLIFE IN THE PROPOSED SITE? NUMBER EIGHT,

1 SEVERAL TIMES NOTICE MILLER REPORT RESERVE DATA WAS NOT
2 GIVEN DUE TO THE REVEALING OF CONFIDENTIAL DATA. DO YOU
3 MAINTAIN CONFIDENTIAL DATA ON YOUR PRESENT OPERATIONS
4 REGARDING RESERVES?

5 NINE, IN 1972 THE LAST CUP, CONDITIONAL USE
6 PERMIT, WAS ISSUED FOR A 20-YEAR PERIOD WHICH ENDED IN
7 1992. AT ABOUT THIS TIME CAL TRANS PREDICTED THE
8 POPULATION OF THE SANTA CLARITA VALLEY DID NOT EXCEED
9 70,000 PEOPLE AND CANCELLED PLANS FOR A EAST-WEST
10 CORRIDOR. IN 1972 THE POPULATION OF SANTA CLARITA VALLEY
11 WAS APPROXIMATELY 15,000 PEOPLE. TODAY COUNTING CONTIGUOUS
12 AREAS TO THE CITY THE POPULATION IS APPROXIMATELY 200,000.
13 WHAT ARE YOUR PROJECTIONS FOR THE POPULATION TRENDS IN THIS
14 AREA IN THE NEXT 20 YEARS. NUMBER 10, WITH MANY AREAS
15 WITHIN LOS ANGELES COUNTY BUILT OUT IT IS APPARENT THAT A
16 MAJORITY OF FUTURE GROWTH WILL OCCUR IN THE NORTH COUNTY.
17 ARE THE RESERVES PRESENTLY AVAILABLE IN THE NORTH COUNTY
18 INCLUDING SANTA CLARITA, PALMDALE AND LANCASTER? ARE THEY
19 UNTIL THE YEAR 2017?

20 ELEVEN, WHEN YOU STATE THAT BLASTING WILL
21 OCCUR TWICE A WEEK, AND THIS IS ONE OF THE QUESTIONS THAT
22 SHE ASKS TOO, IN THE FIRST 10 YEARS WHAT KIND OF BLASTING
23 POWDER, NITRO OR OTHER EXPLOSIVE PRODUCT, WILL BE USED IN
24 EACH BLASTING INSTANCE? WILL THERE BE MORE THAN ONE BLAST
25 SCHEDULED ON EACH OF THE TWO DAYS? NUMBER 12, DO YOU HAVE
26 STATISTICAL DATA AVAILABLE THAT SHOWS THE PRESENT AND
27 PREDICTED POPULATION OF THE CANYON COUNTRY AREA, OF THE
28 CITY OF SANTA CLARITA AND THE AGUA DULCE AREA? THIRTEEN,

1 SPECIFICALLY HOW WILL WATER BE USED IN THE MINING
2 OPERATION? ARE THERE PLANS TO USE GRAY OR RECYCLED WATER?
3 FOURTEEN, DO YOU HAVE EMPIRICAL DATA FROM THE U.S. WEATHER
4 BUREAU REGARDING THE VELOCITY AND FREQUENCY OF THE WIND IN
5 THE AGUA DULCE AREA, AND IN PARTICULAR THE ANTELOPE VALLEY
6 FREEWAY?

7 FIFTEEN, HAVE YOU OBTAINED RECORDS OF
8 FLOODING ACTIVITY IN THE SANTA CLARA RIVER AND TRAILER
9 COURTS, RECREATIONAL SITES, AFRICA USA LOCATED ON SOLEDAD
10 CANYON FOR THE PAST 30 YEARS? SIXTEEN, DO YOU INCLUDED ANY
11 PORTION OF THE CITY OF SANTA CLARITA AS AN IMPACT ZONE AS
12 TO WATER, AIR POLLUTION, NOISE AND DUST. SEVENTEEN, WOULD
13 IT BE FEASIBLE TO REDUCE THE SIZE AND SCOPE OF THE PROJECT
14 AND STILL MEET REASONABLE PRODUCTION RESULTS. EIGHTEEN,
15 HAVE YOU INVESTIGATED THE POSSIBILITY OF A RAILROAD SPUR TO
16 THE PROJECT AND TRANSPORTING THE MAJORITY OF AGGREGATE BY
17 RAIL? NINETEEN, ARE ALL LARGE TRANSPORT TRIPS SCHEDULED TO
18 GO SOUTH ON THE ANTELOPE FREEWAY? ARE ANY TRIPS SCHEDULED
19 TO GO NORTH? AND THE LAST ONE, HAVE YOU OBTAINED RECENT
20 TRAFFIC STUDIES THAT MEASURE VEHICULAR TRAFFIC, CONGESTION
21 AND TRAFFIC ACCIDENTS ON THE ANTELOPE FREEWAY BETWEEN
22 PALMDALE AND SANTA CLARITA. THESE ARE QUESTIONS WE WILL
23 GIVE YOU A COPY OF, AND I WOULD CERTAINLY LIKE TO HAVE IT
24 POSSIBLE 30 DAYS OR SO THAT YOU COULD GET THAT BACK. WOULD
25 THAT BE APPROPRIATE? AND THE I HAVE A MOTION, MADAM CHAIR.

26 COMMISSIONER CAMPBELL: OKAY.

27 COMMISSIONER VARGO: I WOULD LIKE TO ADD -- TACK ON
28 A COUPLE OF THINGS IF I COULD. AND I DON'T KNOW IF THIS IS

1 POSSIBLE, BUT WE'VE TALKED ABOUT THESE MAPS BEING OUT OF
2 DATE. COULD YOU GET SOME NEW AERIALS, SOME CURRENT
3 AERIALS. THANK YOU AND. THE OTHER THING I WOULD LIKE TO
4 ADD WE TALKED ABOUT THE GENERATION OF THE BLASTING
5 OCCURRING SEVERAL DAYS A WEEK OR --

6 COMMISSIONER PEDERSEN: TWO.

7 COMMISSIONER VARGO: I WOULD LIKE TO SEE A VERY
8 SPECIFIC SCHEDULE OF OPERATIONS OF WHAT OCCURS DAILY. IN
9 OTHER WORDS, DURING THE TIME OF BLASTING IS THERE ALSO
10 OTHER TYPES OF THE OPERATION BEING CONDUCTED, ARE THE
11 TRUCKS COMING DAILY, VERY SPECIFIC. FROM A SUNDAY TO A
12 SATURDAY WHAT OCCURS ON A DAILY BASIS GIVEN THE 24-HOUR
13 OPERATION OF THIS FACILITY.

14 COMMISSIONER CAMPBELL: I'D ALSO LIKE TO ADD A
15 COUPLE OF THINGS, AND THAT IS THAT I'VE NOT SEEING
16 ANYTHING, AND CERTAINLY I DIDN'T HEAR TODAY ANY DISCUSSION
17 ABOUT THE IMPACT OF THE BLASTING, AND THE VIBRATION, AND
18 THE CAUSE THAT IT WILL HAVE AND THE EFFECT ON THE
19 SURROUNDING RESIDENTIAL AND OTHER USES IN THE AREA.

20 COMMISSIONER VARGO: BECAUSE SOMEBODY DID NOTE THAT
21 IT WAS 133 DBS AND THAT SOUNDS LOUD. WHAT IS THAT IMPACT?

22 COMMISSIONER CAMPBELL: YEAH. HOW DOES IT LAND? I
23 GUESS THAT'S WHAT I WROTE. I ALSO WANT TO POINT OUT THAT
24 THIS IS NOT AN EXHAUSTIVE LIST. THESE ARE JUST THE
25 QUESTIONS THAT THE CHAIR, CHAIRMAN FELDMAN AND COMMISSIONER
26 PEDERSEN PUT FORWARD, BUT THERE ARE -- AND I HAVE PAGES
27 MYSELF OF OTHER ONES. I DON'T WANT TO GO INTO IT NOW
28 BECAUSE WE ARE GOING TO CONTINUE IT. SO MR. PEDERSEN, I'D

1 BE INTERESTED IN ENTERTAINING A MOTION WITH RESPECT TO THE
2 CONTINUATION DATE.

3 COMMISSIONER PEDERSEN: THANK YOU.

4 COMMISSIONER VARGO: MAY I INTERRUPT JUST FOR A
5 SECOND THOUGH?

6 COMMISSIONER PEDERSEN: YES.

7 COMMISSIONER VARGO: WOULD IT BE APPROPRIATE BECAUSE
8 SO MANY OF THESE QUESTIONS ARE WHAT THE AUDIENCE IS ASKING
9 AS WELL THAT THE APPLICANT DO A PRESENTATION OF THIS
10 INFORMATION PRIOR TO THE CONTINUATION OF TESTIMONY? THAT'S
11 JUST A SUGGESTION I'M ASKING, AND IF MAYBE THEY CAN DO IT
12 BRIEFLY SO THAT MAYBE, YOU KNOW, SUPPOSES SOME OF THE
13 QUESTIONS, AND IT MIGHT THEREFORE SHORTEN THE TESTIMONY.
14 BECAUSE A LOT OF THE CONCERNS BEING RAISED I THINK YOU'RE
15 COVERING IN YOUR QUESTIONS. IT MIGHT BE BENEFICIAL --

16 COMMISSIONER PEDERSEN: WHAT DO YOU MEAN BY
17 BRIEFLY? GIVE ME A DEFINITION. YOU MEAN 10 MINUTES,
18 15-MINUTE BRIEFING?

19 COMMISSIONER TOY: I WOULD SUGGEST IF COMMISSIONER
20 VARGO -- AND I THINK THAT'S A GOOD IDEA AND IT MAY TAKE
21 CARE OF SOME OF THE QUESTIONS. AND IF WE HAVE ADDITIONAL
22 QUESTIONS, SOME OF US WHO'VE NOT GIVEN OUR LIST YET,
23 PERHAPS CAN MAKE THAT AVAILABLE TO STAFF ALSO. AND PERHAPS
24 AS A -- NOT A REBUTTAL, THEN MAYBE AN IN BETWEEN
25 CLARIFICATION THAT IF YOU'RE IN FACT GOING TO HAVE A
26 PRESENTATION I WOULDN'T SAY IT SHOULD BE BRIEF. I WOULD
27 SAY --

28 COMMISSIONER VARGO: MAYBE 15 OR 20 MINUTES. IF

1 WE'RE HAVING A FULL HEARING IN THE COMMUNITY I HAVE A
2 FEELING THAT WHAT YOU'RE ASKING FOR IS GOING TO ANSWER A
3 LOT OF THE COMMUNITY QUESTIONS AND CONCERNS. NOT ALL OF
4 THEM BY ANY MEANS.

5 COMMISSIONER PEDERSEN: I HAVE NO OBJECTION AT ALL
6 SINCE IT WOULD BE A CLARIFYING TIME TO BRING IT INTO FOCUS,
7 AND IT COULD BE JUST 15 OR 20 MINUTES, BUT I REALLY WANT TO
8 RESERVE AS MUCH TIME AS POSSIBLE FOR THE OPPONENTS TO GET
9 UP AND HAVE THEIR SAY.

10 COMMISSIONER VARGO: IT WAS JUST A SUGGESTION.

11 COMMISSIONER CAMPBELL: WELL, ACTUALLY, WE DON'T
12 HAVE TO MAKE A DECISION TODAY. WHY DON'T WE JUST CONTINUE
13 IT, AGREE UPON A CONTINUATION DATE, THEN AT THE TIME OF THE
14 HEARING IF, YOU KNOW, YOU WANT TO RENEW THAT MOTION WE CAN
15 DO IT AT THAT TIME. ALL RIGHT, SO MR. PEDERSEN.

16 COMMISSIONER PEDERSEN: MY MOTION IS TO CONTINUE
17 THIS HEARING UNTIL THE DATE OF JULY THE 14TH WHICH I
18 UNDERSTAND IS AVAILABLE, ALTHOUGH I WOULD LIKE THE TIME TO
19 BE IN THE EVENING HOURS, SOMEWHAT LATE, THE EVENING HOURS.
20 I'D LIKE STAFF TO WORK ON THAT WORKING WITH THE APPLICANT
21 AND WITH THE COMMISSION. AT APPROXIMATELY 4:00 IN THE
22 AFTERNOON AND THAT WE OBTAIN A SITE THAT IS LARGE ENOUGH TO
23 HOLD A LARGE NUMBER OF PEOPLE, AND I WOULD SAY A LARGE
24 NUMBER OF PEOPLE MEANING AT LEAST 200 PLUS. THE ONLY ONE
25 I KNOW OF OUT THERE IS VALENCIA HIGH SCHOOL FOR THAT, BUT
26 THE STAFF CAN WORK ON THAT. THAT'S MY MOTION TO CONTINUE
27 IT TO THAT TIME.

28 COMMISSIONER CAMPBELL: IS THERE A SECOND TO THE

1 MOTION?

2 COMMISSIONER TOY: SECOND.

3 COMMISSIONER CAMPBELL: OKAY, IT'S BEEN MOVED AND
4 SECONDED THAT WE CONTINUE THE PUBLIC HEARING UNTIL JULY
5 14TH. THE TIME IS IN THE 4 P.M. HOUR OR THEREABOUTS, AND
6 IT'S BEEN MOVED AND SECONDED. ALL IN FAVOR PLEASE SIGNIFY
7 BY SAYING AYE.

8 COMMISSIONER VARGO: AYE.

9 COMMISSIONER TOY: AYE.

10 COMMISSIONER PEDERSEN: AYE.

11 COMMISSIONER CAMPBELL: OPPOSED? MOTION CARRIES.

12 COMMISSIONER VARGO: HOW WILL THE PUBLIC BE NOTIFIED
13 OF THE TIME AND PLACE?

14 MR. CULBERTSON: MADAM CHAIR, IN VIEW OF THE
15 INDEFINITE TIME AND PLACE WE WILL BE REQUIRED TO MAIL
16 PUBLISH ADDITIONAL NOTICE OF THAT MEETING IN THE SAME
17 MANNER AS WE NOTICED THIS MEETING.

18 COMMISSIONER VARGO: AND WE'LL PUBLISH IT IN THE
19 LOCAL PAPERS?

20 MR. CULBERTSON: YES, THAT IS CORRECT.

21 COMMISSIONER CAMPBELL: OKAY, SO THAT PEOPLE THAT
22 ARE OUTSIDE THE RADIUS WILL THEN BE ABLE TO REFER TO THE
23 LOCAL NEWSPAPER TO FIND OUT THE PRECISE TIME?

24 MR. CULBERTSON: THAT IS CORRECT.

25 COMMISSIONER VARGO: THEY KNOW THE DATE. THEY JUST
26 DON'T KNOW WHERE THEY'RE GOING.

27 COMMISSIONER CAMPBELL: OKAY, YOU DON'T KNOW THE
28 LOCATION AND THE TIME. ALL RIGHT, IF THERE'S NOTHING

1 FURTHER THEN -- OH, I'M SORRY.

2 A VOICE: JUST ONE QUICK QUESTION.

3 COMMISSIONER CAMPBELL: CAN YOU PLEASE COME
4 FORWARD. YOU HAVE TO STATE YOUR NAME AND ADDRESS FOR THE
5 RECORD. WERE YOU SWORN IN EARLIER?

6 MS. KIRK YES.

7 COMMISSIONER CAMPBELL: OKAY, PLEASE STATE YOUR
8 NAME.

9 **13**

MS. KIRK: LINDA KIRK. 33358 AGUA DULCE CANYON ROAD
10 UP IN AGUA DULCE, CALIFORNIA.

11 COMMISSIONER TOY: SORRY, WHAT WAS YOUR NAME?

12 MS. KIRK: LINDA KIRK. WHAT I'M ASKING IS THE LAST
13 HEARING LAST COUPLE OF A WEEKS AGO YOU GUYS EXTENDED THE
14 PUBLIC COMMENT PERIOD. NOW, IF WE'RE EXTENDING THE PUBLIC
15 HEARING PERIOD TO THE JULY 14TH DATE CAN YOU MAKE A MOTION
16 TO EXTEND THE PUBLIC COMMENT TO LIKE WHAT, A WEEK OR SO
17 BEFORE, HOWEVER LONG IT HAS TO BE IN BEFORE THEN?

18 COMMISSIONER PEDERSEN: THE PUBLIC COMMENT PERIOD
19 WAS EXTENDED BEYOND WHAT THEY'D ASKED FOR. SOMEBODY ASKED
20 FOR 60 DAYS, WE GOT IT FOR OVER 90 DAYS.

21 MS. KIRK: OH, IT WAS. OKAY.

22 COMMISSIONER PEDERSEN: THERE'S PLENTY OF
23 OPPORTUNITY FOR YOU AND IT'S NOT NECESSARY AT THIS TIME.
24 YOU'VE GOT PLENTY OF TIME TO REVIEW IT. WE DON'T NEED TO
25 EXTEND IT AGAIN IN MY OPINION.

26 MS. KIRK: OKAY. I THOUGHT IT WAS JUNE 14TH.

27 COMMISSIONER PEDERSEN: OKAY.

28 A VOICE: I WOULD SUGGEST --

1 COMMISSIONER CAMPBELL: PLEASE STATE YOUR NAME AND
2 ADDRESS FOR THE RECORD.

3 **14**

MR. KOZOIOL: MY NAME IS STEWART KOZOIOL.

4 COMMISSIONER CAMPBELL: STEWART KOZOIOL?

5 MR. KOZOIOL: YES, KOZOIOL. I WOULD SUGGEST THE
6 AERIAL WHICH YOU PROPOSED TO MAKE ALSO AND AERIAL 180
7 DEGREES WITHOUT THE SITE SO THAT YOU'LL BE ABLE TO SEE THE
8 DEVELOPMENT WHICH WE HAVE NOW.

9 COMMISSIONER CAMPBELL: OKAY, THANK YOU VERY MUCH
10 MR. KOZOIOL. NOW, ONE LAST THING, AND THAT IS IS THAT IS
11 THERE ANY PUBLIC COMMENT PURSUANT TO GOVERNMENT CODE
12 SECTION 54954.3 WHICH IS ITEMS THAT ARE NOT ON THIS AGENDA
13 THAT SOMEONE WOULD LIKE TO MAKE A COMMENT ON. SEEING NONE
14 THEN --

15 MR. CULBERTSON: MADAM CHAIR, WE HAVE ONE OTHER ITEM
16 ON THE AGENDA, HOWEVER, WE WILL BRING THAT BACK TO AT A
17 FUTURE DATE. HOPEFULLY WHEN WE DON'T HAVE SUCH A FULL
18 AGENDA.

19 COMMISSIONER VARGO: OKAY, IS THAT THE MATTER OF THE
20 MINUTES?

21 MR. CULBERTSON: YES. ITEM NINE.

22 COMMISSIONER CAMPBELL: AND THE APPROVAL OF
23 MINUTES --

24 COMMISSIONER VARGO: IF YOU CAN, BRING THOSE BACK
25 NEXT WEEK.

26 COMMISSIONER CAMPBELL: OKAY, THANK YOU. THIS
27 MEETING STANDS ADJOURNED.

28 (THE PROCEEDINGS WERE CONCLUDED AT 12:17 P.M.)

REPORTER'S CERTIFICATE

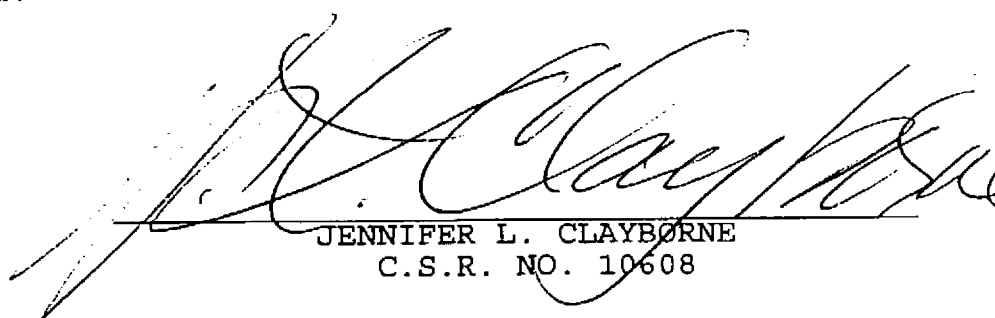
STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

I, JENNIFER L. CLAYBORNE, C.S.R. NO. 10608, A
CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF
CALIFORNIA DO HEREBY CERTIFY:

THAT SAID HEARING WAS TAKEN BEFORE ME AT THE TIME
AND PLACE THEREIN STATED WAS TAKEN DOWN BY ME IN SHORTHAND
AND THEREAFTER TRANSCRIBED INTO PRINT UNDER MY DIRECTION
AND SUPERVISION, AND I HEREBY CERTIFY THAT THE FOREGOING
DEPOSITION IS A FULL, TRUE AND CORRECT TRANSCRIPT OF MY
SHORTHAND NOTES SO TAKEN;

I FURTHER CERTIFY THAT I AM NEITHER COUNSEL OR
ATTORNEY FOR EITHER OF THE PARTIES HERETO OR IN ANY WAY
INTERESTED IN THE EVENT OF THIS CAUSE AND THAT I AM NOT
RELATED TO EITHER OF THE PARTIES THERETO.

WITNESS MY HAND THIS 29TH DAY OF APRIL, 1999.


JENNIFER L. CLAYBORNE
C.S.R. NO. 10608

CITY OF SANTA CLARITA
CITY COUNSEL MEETING OF MAY 11, 1999
ITEM 22

PROPOSED LOS ANGELES COUNTY SOLEDAD CANYON SAND AND GRAVEL
MINING PROJECT

Mayor Darcy calls the meeting back to order.

Because of the enormity of all of these cards tonight, we have too many to get through so we are going to limit you to two minutes. The ones that have written comments will go in the file and if there is a legal requirement, they will be retained in this file so they can be pulled out and read at a later date.

The speakers were kind of divided up. We have three from Aqua Dulce Town Council Civic Association and Point Study Task group members. I am going to ask them to come forward because they wanted to speak with three of them. We will give them six minutes total, two minutes each. If they will come forward, we have Jim Duzick, Charles Conklin Jr., and Diane Terito. Oh, wait a minute, that's right, we want to hear the staff report first. The reason is because it is so revealing I think you will agree with us that this study should be done, and that you will probably will be in support of it after you hear Mr. Lambert's famous report.

Mr. Lambert speaking: I think since you have so many speakers, etc., that after this presentation, the arguments might feel that what the City is proposing, with the Council's report, that we are on track and that could maybe minimize the amount of people who want to speak, or they could consolidate their comments. I know the staff has been spending a lot of time on it and I think _____ a lot of the comments that we have been hearing over the last several weeks.

Mayor Darcy: Now, we have to also realize that they are not all for the study. There are some that are opposed to it and some that are neutral. So with that, will you proceed, Mr. Lambert?

Mr. Lambert: Let me first say that I have never had my staff report referred to as famous, so I appreciate that.

Mayor Darcy: I'll put you down in the annuals of history for one night.

Mr. Lambert: Let me first outline what our recommendation is for the council and for the audience and hopefully for those viewing at home. Also, give you an overview of the project description so that we are all clear on what the project is. I'll give you some background on what the staff has been working on and I would like to walk you through a list of issues that we have raised, our correspondence to the County.

First of all, the recommendation. The staff has recommended that the Council appropriate \$50,000 to hire specialist consultants to further evaluate the project that is

proposed in the county. Let me say, it is probably helpful just to reiterate, this project is not within the City's jurisdiction. It is adjacent to the City, but not within the authority of the City to act on. The first item we are asking the Council to do is to appropriate moneys to hire the exact experts that we believe we will need to look at the details of this project and advise us as to how better to comment on the project, as far as the County is concerned.

The second item is to direct staff to meet with our elected officials; in particular Congressman McKeon has already been quoted in the paper as expressing concerns for this project, to discuss this project with them and ask for their advice.

The third item is to direct staff and the consultants to work with the County to look at this project as well as other similar projects that may or may not be proposed in the immediate area, and to look at this as a whole and look at the cumulative impact of this project as well as others, and to work jointly with County to do so.

Before I go further, it should be clear that the County staff has been very helpful to us, in hearing our concerns and making themselves available as we work through this project.

Let me just walk you through the project description in a little of detail so that everybody can understand what we are talking about. This is a Transit Mixed facility located north of Soledad Canyon road, south of the Antelope Valley Freeway, and west of Aqua Dulce Canyon. It is also located approximately two miles from the City's eastern boundary. It is a surface mining of 83 million tons of aggregate on a 460-acre site. At this site they will process concrete from the aggregate on a 40-acre portion of the site and will produce approximately 56.1 million tons of concrete. The life of the project is approximately 20 years. Blasting will occur twice per week in the first 10 years, and up to four times per week in the second 10 years of the life of the project. Excavation activities will take place six days a week, between the hours of 5 a.m. and 10 p.m. Aggregate activities to take place 16 hours a day and aggregate shippings take place 24 hours a day, as a result of this project. Concrete batch plants and ready mix shipping make runs seven days a week for a period of 24 hours a day. Definites in the product description are for a total of 347 outbound truck trips per day in the first days, and up to as many 582 outbound truck trips per day in the second phase. The phases are in 10-year increments.

That is sort of an overview of the project in really brief terms, but just to give everybody a sense of what this project really does entail.

I can give you some background on the City's role. The City staff was first involved in this project back in 1992. At that time a Notice of Preparation was released to begin the EIR process. The City wrote a very detailed comment letter on that Notice of Preparation back in 1992, and though it seems like it kind of disappeared, and to some people it probably has, it reappeared in March of this year when the Draft EIR was released for public comment. Staff has reviewed this document in great detail since its release in March. Shortly after the document was released, I think the Council and City received several comments, both testimony at Council meetings or study sessions or written

comments or other correspondence to the Council. Council directed staff on several occasions to look at this document in very close terms and create a very strongly worded comment letter to the County. In addition, the Mayor sent a letter to the County soon after the EIR was released, asking for additional time for the comment period. The County later, on April 7, at their first public hearing on this item, extended the comment period to June 13, which added an extra 45 days to the comment period. That was based on the City's comments as well as other letters sensitive to the Regional Planning Commission. On April 7, at the Regional Planning Commission meeting, that was their first public hearing. They mostly heard from the applicants. The applicant went through a fairly rigorous review of their project with the Commission. There was very little opportunity for other testimony and the City was represented just to say that we are looking at this very carefully. We are also carrying our EIR Comment letter and will continue to review this project as it goes through its process. But we held the bulk of our comments until the actual hearing when they were planning on taking most of the opposition testimony.

On April 12, the City hosted a community meeting in Canyon Country. At that meeting there were over 135 in attendance. I should say that we did not spend a lot of advertising on that meeting, it happened fairly easily because I think the community and the eastern part of the city and beyond the city's borders are very aware of this project and are following quite closely. We have also attended meetings of the Aqua Dulce Town Council, we have attended meetings in Sand Canyon Home Owner's Association to let those folks as well that we are following this quite closely.

On April 14 the City sent a 17-page comment letter on the EIR and the Council should have received a copy of that document.

What I would like to do now is walk you through. This is just a list of the issues that we have raised and at the end I will repeat the recommendation we have before the Council this evening. First, we believe, let me first read from a comment letter. This is sort of an overall comment statement on the project. The letter reads, and I quote "Operations associated with the proposed project will have an adverse and irreversible impact on the valley's environmental resources and visual character, and could degrade the quality of life enjoyed by residents of this valley. With that as an overall statement, we listed several comments that are areas of concern. They include the land use conflicts. This is sort of an overall concept, but it really talks about the conflict of this sort of usage _____ residential communities, either existing residential communities or areas that are zoned residential and are likely to be built as residential in the coming years.

The next is aesthetics and visual resources. This is to me a pretty obvious one, but the nature of this project is taking an existing hillside that is very visible from the Antelope Freeway, a gateway into this valley from the Antelope Valley, and really sort of loping off, not a scientific term, but loping off the top of that mountain. That, to us is a concern from an aesthetics and visual resources perspective.

One of the other areas of concern is public health and safety. We think there is a real concern with potential fuel spills, on-site blasting two to four times per week, the potential for brush fire, electrical fires, and anything like that generated from this project.

We are also concerned about its proximity to open space and National forest.

Another category of issue is traffic and circulation. I mentioned earlier the number of trucks that will be generated outbound. These are one-way truck trips on this project and that is of great concern to the City. Of particular concern for impact on adjacent roads between the project and the freeway, but also upon traffic on the Antelope Valley Freeway. As you all know, that is a pretty heavily traveled freeway as it is, and we are concerned that this additional truck traffic on that freeway could cause serious concerns for our residents and those of the Antelope Valley.

Another area of concern is air quality, enough generated by the operation of removing the aggregate and what that could cause to air quality in the area.

Another concern is noise and vibration, and that is generally coming from both blasting and from the trucks traveling on those streets and what that does to noise and vibration in the area.

One area we are particularly concerned about is biological resources and the impacts on the river, and particularly the biology that resides in the area of the Santa Clara River. This project is directly adjacent to the river.

Another area of concern is water quality and storm water management. We are not convinced that has been adequately addressed in the environmental document. We want to be able to, using the consultants that we propose to hire, to really look at that in much more detail and be able to give them clear, specific lists of concerns.

Another concern related to that is water resources and this project alone generates the need for ground water to try to control the dust. So, if the dust is a problem, the way to control that is to take ground water and we are concerned about those implications and need to look into that further.

One of the other issues is more of a philosophical issue and is about recycling. The more readily available natural resources are, the less likely people will be to use recycled construction materials. Thus, we are concerned about the precedent of extending the availability of natural resources and not giving people the incentive to use recycled materials.

Lastly, as far as categories, are recreational trails. The City has an extensive trail system, so is there available a trail system in the National Forest and we want to make sure that this project does not negatively impact those trail systems.

So that is just a category. Each of those issues is listed in much more detail in our 17-page letter to the County. We also stated in that letter that we reserve the right to submit additional comments, because we now have until June 13 to submit additional comments, and we expect to do so as well.

The reason we are before the Council this evening is that we want to be able to prepare those comments, get the expertise we need and do that in a timely manner, in order to be available for the June 13 deadline. So, let me repeat again what our staff recommendation is for this evening: it is a three-part recommendation. The first one is to appropriate \$50,000 to hire the specialist consultants that we think we need to look at this in much more detail and give a good evaluation to the County. Next is to direct our staff to meet with Congressman McKeon and other elected officials to make sure that all parties involved are at the table and working with us on this issue. The third is that we do a joint study with the City and the County to look at this issue as a whole, to form sort of a larger picture review of this issue and make sure that the City and County are working together to make sure that these kinds of facilities either do not move forward or move forward with as little impact to the adjacent communities as possible. With that, I conclude the staff report and I am happy to answer any questions the Council may have.

COMMENT: I have a comment. Aren't we going to need more time? Shouldn't we ask for an extension?

Mr. Lambert: We can if the Council directs us, we will again as for more time. I think the June 13 deadline will be difficult to do as very good job as we can.

COMMENT: I personally would like to ask for two more months if we could get it.

COMMENT: That seems fair. They did have nine years to put together their project. We need more than a few weeks to put together ours. (Clapping)

MAYOR: We kind of discourage that so that we can get a lot of time to hear you speak. That's the first warning, (laughing), just remember that. That concludes your report, and now we have the explanation here. We have a lot of cards. There are 54 cards who want to speak, 28 cards that have written comments, 12 which are for and 3 which are against, in the written comments only. We have a group, also, from a group named VICA, which submitted a number of letters, which are written comments. That is the way they are submitted. Now the ones that want to speak, there are three that asked to be done together, so to get this through in a decent amount of time we will have to limit this to two minutes each. The first three that want to come up are Jim Duzick, Charles Conklin, Jr., and Diane Terito. If you three would come up, representing your group of the Civic Association, the Aqua Dulce Town Council and the Point Study Task Group. Now smile, you are on television, remember. I know you don't have it in Aqua Dulce. Okay, Mr. Duzick. Mr. Duzick is the President of the Aqua Dulce Town Council, if you don't know that.

1

JIM DULZICK: Good evening, Mayor Darcy and City Councilmen. We are members of the combined study group of Town Council, Aqua Dulce Civic Association and citizens from within the community. The evolution of the TMC project and the projection of a follow on _____ project three times the size of the TMC project, are critical issues that our community is keenly interested in, and can overcome and dominate our community. Review of the talent array representing this project from TMC and BLM is daunting. BLM's district staff alone is represented by 68 professionals of substantial talent and a variety of endeavors. We look forward to working with any professionals that the City of Santa Clarita or the County might employ, or lobbyists that might address the issue of conflicting land use that might overcome our community.

2

COMMENT: Okay, this seems to be just a land use issue that is firmly in the County Board of Supervisor's lap. Per conversations with BLM personnel and state geologist and Executive Director of the State Mining and Geology Board, this land use issue, they have dotted their I's and crossed their T's in the process to get to this stage. Where the problem lies and where the decision will be made will be at the County level. I have been trying to uncover any type of appeals process, it may be after the fact, if you don't win the day and stop the project altogether. You know the effects of the project are self-evident, of course, the corporation TCM and the EIR will show that it is in fact that it is just standard operating procedure, I am not giving anything new that anybody doesn't understand. You know, the staff recommendation of working with the County on the cumulative effects. You know the County is the lead agency and they are the ones who make the decision, and you know, a simple guy would think its like the fox guarding the hen house so-to-speak. The State Mining and Geology Board, which would be an entity that appeals on designation areas is made up of nine members that are gubernatorial appointed. Right now they don't have a forum. Dr. Davis has inputs like the Air Quality Board, the Water Board, you know there is just not enough appointees here yet. What I was interested in asking is, does the City of Santa Clarita have any contact or conversation with the Governor's office and potential input on our appointees. Before this board, you know it's like where you go to is made up of ex-miners. You know, it's a litigation, if it gets to a litigation issue, you have to have the money to be able to take the process the distance. I just bring this forth. I have made some phone calls. If you would like the names or information of the gentlemen that I have talked to. With Jim and Diane, I am the low man on the totem pole. Just straight forward, this is in the County's lap, so if anyone is saying that it is a BLM issue, I surely would have discussions on the BLM's designation of future projects and the need. You know maybe you ought to look at that and hopefully some of the money resources can be used in that area, because this is a catch-up game, as I think anybody who has been looking at it is aware. For future projects we could be on board a lot earlier in the process, and it is a process that has rules and regulations, and the thing is you have to play ball in their court, and the consultants and experts, their information is where you can contest you, you know, the EIRs and EISs and whatnot. I'm not going to go into that because I am not well versed in that. But, you know the \$50,000 is nice, but in my personal opinion it's not enough money. But, I guess you get the most bang for your buck, where are you going to invest that time, going against the EIR that might influence the County decision, or where? That's the question I would ask, because that money could be used up real quick. There's, you know, hundreds

and hundreds of men and women hours used in researching this, but ourselves and many other people in the communities each all know what to put into it. So, you know, multiply that time, what is it \$100 or \$200 an hour, that 50 can get used up real quick. Thank you for your time.

3

DIANE TERITO: Good evening ladies and gentlemen, I am Diane Terito. Just very briefly, the community of Aqua Dulce has been very concerned about this project and has been researching it diligently, as has the staff of the City of Santa Clarita. I would just like to express my personal support of your efforts to hire consultants to perhaps speed our progress as well as your own.

MAYOR DARCY: Thank you. Does that conclude the three views and your report? Thank you very much. These cards that I am going to bring up to name are all in favor of the recommendation tonight, for the City to spend the money and hire the consultants. If you do not wish to speak, but just wish to stand up and say you support this, we can accept that too. It also cuts down on the time. All right, the first one up will be Stacey Nickels. She will be followed by Tana Lampton, followed by Mike Karbacker. You have two minutes.

4

Stacey Nickels: Okay, first of all I want to say that this represents two years of my family's life, and if I may I would like permission to pass around some photos. My name is Stacey Nickels. I am from the Acton/Aqua Dulce area. On November 16, 1992, my family was forever changed by a sand and gravel truck driver on Soledad Canyon Road. The accident did not happen in the winding canyon of Soledad, but right here in the city limits of Santa Clarita. My husband was on his way to work in our Pontiac Grand Lemans when he stopped for a red light in the left-hand turn lane on Soledad Canyon Road. He was rear-ended by an empty sand and gravel truck. The driver thought he would be able to take enough time to make it through a yellow light. The driver of a small red car in front of him stopped for the red light. The driver of sand and gravel truck veered to the left, crossing two lanes and ran over our car, and my husband. My husband came out of this by the Grace of God, and walked away from that accident with no broken bones and severe soft tissue injuries. It has taken over two years to put his self back together and get his life going. Our concern of the family is for the 60,000 reported commuters that use the 14 freeway and Soledad Canyon Road to commute to the valley, as well as Santa Clarita to work, as my husband did. We support your agenda item. Thank you very much.

MAYOR DARCY: Thank you Stacey. All right, Tana Lampton. She will be followed by Mike Karbacker.

5

TANA LAMPTON: Thank you ladies and gentlemen for listening to us tonight. This project is, in my mind worse than the Elsmere Canyon episode. This thing should be considered two companies; Transit Mix and Cal Mat will follow. This is an absolutely over-powering, mind-blowing problem project. I do appreciated what you will be doing, submitting, donating the \$50,000, also talking to Buck McKeon. I sure wish it would be more also. Keep up the good work. Thanks. Mr. Karbacker.

6

MIKE KARBACKER: Good evening everyone. I have talked once before here, trying to get people excited about this. I will only comment on the air quality issue in regard to the Transit Mix project. It would not be morally right for me to throw this material that was collected on the proposed mining site into the air, in this room right now. Now would it be right for Transit Mix to do the same with 818,300 pounds of it a year in the second phase of the mining operation. Most of this material cannot be seen or smelled. It cumulatively settles deep in your lungs and causes emphysema, lung cancer, etc., and this is from an EIR that I found, potentially many understatements and flaws, also suggested by the Santa Clarita response letter to the Draft EIR. Monitoring done in Newhall, 70 mile an hour gusts of wind common to the area at times, are not mentioned in the EIR. Truck material dust fall off on the 14 Freeway, is constantly re-entered into the air by the other vehicles driving by, is not mentioned. Blasting residue materials are not mentioned as air pollutants. The truth is, the project would generate large amounts of unmitigatable exhaust emissions, fugitive dust from mining, construction on and off-site traffic, oxides of nitrogen, reactive organics and PM10 particulates. There is a reason that 30 to 40,000 people work in Irwindale during the day and only about 12,000 live there at night. Please spend the money necessary to not let TMC or any other large mining company destroy our quality of life and slowly kill us. Thank you.

MAYOR DARCY: Followed by his wife, Margo Karbacker. Following her, would you please come forward, is Robert Baida.

7

MARGO KARBACKER: Good evening. It has really been a sad day in my life when I feel compelled to plea to the City of Santa Clarita to ask the County to delay a decision on this Soledad Canyon Sand and Gravel Mining Project for at least two years, and for the City of Santa Clarita to not limit your budget to \$50,000. Transit Mix has taken ten years to develop this project, to make this unfeasible project a feasible project, and probably spent a million dollars doing that. We need at least two years to undo the political quagmire, and to prove that human health and well being is more important than the mining of sand and gravel. Sand, the most abundant material in the earth's crust. Perhaps the crust of this problem being the incompatible land use and those guidelines laid out by the State Mining and Geology Board, the same board that has designated this area as a significant resource area. We need to have professionals examine these guidelines and we need time and money to do this. The area may have been compatible for mining on this scale 20 years ago, but not now. Within a 1.2 mile radius of the site, we have high-density residential, low-density residential with high unit value, and public facilities that include a school and a freeway. These are all inherently incompatible land uses with mining. Please don't let TMC make you feel guilty about making their trucks travel an extra 25 miles a day. The health issues our region faces are certainly more important than southbound profit margin. When you think about it, money could be the only reason that could make humans do this to other humans. Thank you.

MAYOR DARCY: Robert Baida, representing Stone Crest resident.

8

ROBERT BAIDA: Mayor Darcy and members of the Council, my name is Robert Baida. I live in Stone Crest development, which is less than one-quarter mile east of the City of

Santa Clarita. I live 6,750 feet from the edge of the mine development. Contrary to what was said on the EIR, they neglect several points. I would like to make four of those clear here this evening.

The first point: The data was taken in the EIR shows aerial views, both satellite and airplane, taken in 1989 and 1991. I have, for your view, satellite data which was taken in March of last year, and it more vividly shows the exact area we are talking about and the impact on the area.

The second point is 300 homes in the Stone Crest area have been built since this report was initiated. Most of them are within 1 1/2 miles of the site. Yet, nothing was mentioned in the EIR as late as February of 1999.

Point three: The _____ of thy Soledad Canyon Shadow Pines is 750 feet from the nearest home residential area. The same tract that I live in. The primary significance of that is the on-ramp to the freeway to the south bound, is a primary area for an residential approach to the San Fernando Valley. The congestion brought on by this will be significant. Furthermore, the 24 hours a day, 7 days a week operation with those trucks going up an incline are going to impact the noise in the area and keep many residents awake.

The last point, point four: The visual impact mentioned in the EIR. For those of us who have read that, we see that they talk about the visual blight on the passing motorists. One thing they do not do is mention the visual blight that the residents of the Santa Clarita Valley will see seven days a week, 24 hours a day. I say 24 hours a day because the light pollution will also have a very negative impact on the residents in the eastern part of this valley. Thank you.

MAYOR DARCY: Thank you for your presentation. The next one, it looks like,
9 Michelle Johnson.

MICHELLE JOHNSON: I support your resolution. I give my time to David Colmeyer.

10 DAVID COLMEYER: Mayor, Council, thank you very much. I support your resolution. I also offer a different perspective, something that has not been addressed, and that is the filming, as a member of the entertainment community, the filming that takes place in Aqua Dulce, in Canyon Country, in Acton, and all around the Santa Clarita Valley. The light degradation involved with the unmitigatable dust is incompatible with any kind of filming. The dynamite blasts are incompatible with any kind of location filming. All these disruptions, at a time when the County, the City and the State are trying to keep filming in the state, this is a reason for producers, directors of photography and directors to take their productions and take the money generated by those productions, out of state. I thank you very much.

COMMENT: Can I ask Mr. Colmeyer a question.

COMMENT: Yes.

COMMENT: Are you an expert on filming, do you work with filming?

DAVID COLMEYER: I started on the opening ceremonies of the 1984 Olympics.

COMMENT: It is my understanding that even our eyes wont pick up, in the filming industry, our eyes wont pick up the dust but the camera will. Is that true?

DAVID COLMEYER: Yes. Constant resetting of focus. Thank you.

11 MAYOR DARCY: Next speaker is Cisco McGregor, followed by Richard Christensen.

CISCO MCGREGOR: I support exactly what you are doing(inaudible).

MAYOR DARCY: Thank you. And you are a Stone Crest resident. Richard Christensen and following will be Jane Fleck, and following those two will be Ed Dunn. Richard Christensen is a Sand Canyon Home Owner's Association member.

12 RICHARD CHRISTENSEN: I am Richard Christensen. I live in Sand Canyon and I am representing the Sand Canyon Home Owner's Association, which actually, by board action, has not taken a position yet. We expect to on May 19, and Ms. Fleck, who is also representing the organization, will explain our poling procedure we are engaging in so that we can get a real sense of the feeling of the community. I would say that for the association as well as myself, I think that we definitely need an extension of the comment period on the EIR. I wouldn't presume to say how long. Sixty days seems rather short. Some of the models in the EIR, it seems to me, would have to be questioned, some of the data would have to be questioned, and I think that some of the models would have to be redone, particularly air flow, because they are outdated. Accordingly, it might be as much as a year before a person could take a really thorough going position. Let me defer to Jane.

13 JANE FLECK: One of the things that we did for the Home Owner's Association is that we sent out, first we held a meeting for the members of the association and had a presentation from Transit Mix so that they could learn about it. We have now sent out a postcard and people are calling in to a phone number to register their votes. The cards went out four days ago, and we have had an almost 10% response of the homeowners. Anybody who does surveys and polls knows that is an incredible number of people responding in such a short period of time, and the phone calls are still coming in. The biggest thing, there is a lot of concern about this from the homeowners who have called in, the biggest issues are air pollution and air quality. There is a lot of concern about dust, water issues, noise and traffic. We gave a two-week period for people to respond. At the end of the two weeks we will tally up the votes, but I have to say that in listening to the responses, there is a tremendous amount of concern from the homeowners and the HomeOwners Association. Thank you.

MAYOR DARCY: Thank you. Ed Dunn. Ed Dunn is a Canyon Country resident. He will be followed by Stuart Larson.

14

ED DUNN: Good evening Mayor, members of the Council and staff. I attended one of the applicant's meetings in Sand Canyon and they went over numerous issues regarding this. When the question, what would an alternative be, was asked, they said Los Angeles. The potential growth in Los Angeles, we need aggregate mining and batch plants close to Los Angeles. The closest one, other than this site, is Littlerock. Some were asking why not just mine in Littlerock and bypass this particular site because it has so much impact on the local area and the residential area. Their answer was that the additional cost of transportation. They said that the trucks would still be on the freeway. So I came up with the idea that ought to be investigated, is let's rail haul it. After all, back east, all the coal mines, they don't run trucks from the mines, they rail haul distances across the country with all that coal. They could rail haul the aggregate from Littlerock right through our valley on our railroad tracks and no impact our freeway, not impact Newhall pass, and no one knows how they are going to handle Newhall pass and highway 14 with 500 trucks a day. Then, if they had to, they can set up a batch processing plant in Los Angeles where they need this aggregate and if they didn't want to do that, they could rail haul it probably over to City of Industry _____ highway, then just process it right where it is being process now. So there are ways to solve this problem and I think that needs to be looked at and possibly needs to be pushed, because that is only one of the problems we have with this, is that their EIR doesn't meet the environmental requirements. Thank you.

MAYOR DARCY: Stuart Larson, followed by Judy Fried.

15

STUART LARSON: Good evening, and thank you. I would like to thank Mr. Lambert and his staff for the excellent work they have done. I would like to emphasize a few of the inadequacies of the EIR. First, it is important to recognize that it states in the EIR that even with mitigation, the adverse effect on air quality will be significant. They state that in the EIR. All the air readings were done at the SCAQMD station down in Newhall, which was 11 miles away. Those of us who live in the area know that there are extremely heavy winds that constantly change direction up there in the Stone Crest and Shadow Pines area. That needs to be studied further. In addition, Soledad Canyon is a main conduit for Santa Ana winds that come rushing out of that canyon, right from the mine toward the residential areas. The traffic, the study used a vehicle count only, which does not take into account the fact that the additional vehicles will be 80,000-pound dual semis. That is not the same as one passenger car. They are counting them the same thing, they just say the number of vehicles. A substantial amount of water will be diverted from the Santa Clara River. Many people also believe that there is a high danger of toxic runoff into the ground water. There are also many residences now starting less than 1 1/2 miles from the proposed project. This has been basically ignored in the EIR. Many parts of the EIR were prepared prior to the houses being built. The houses are there now, the residents and our children. We must be acknowledged. This will be a 20-year project that will directly effect every resident of the Santa Clarita Valley. I urge the Council to approve further study of this vitally important issue, allocate more money if

you can. I would also like to draw attention to a web site, "www.geocities.com/~watchdogs". That is a web site of a group in Colorado, a citizens group that is adjacent to a mine that is run by Southdown, the parent company of Transit Mix. Very interesting.

MAYOR DARCY: Would you repeat that web site.

STUART LARSON: Its www.geocities.com/~watchdogs.

MAYOR DARCY: Next speaker, Judy Fried, Ben Curtis will follow that lady in the beautiful red.

16

JUDY FRIED: Good evening, thank you. My name is Judith Dalton Fried and I am a healthcare professional. I am also a resident of Aqua Dulce. Tonight I wanted to mention the health concerns that I personally have. With the close proximity of the site to so many residential areas, I am concerned especially with the health of children and the elderly. They are more susceptible to the dust and the other potential environmental impacts of this activity, as the victims could be an extreme concern and there is also the possibility that Valley fever will be kicked up into the air from the dust. If you recall the earthquake we had in Northridge, there were several deaths that were related to the Valley fever.

MAYOR DARCY: Thank you. Ben Curtis will be followed by Andy Fried.

17

BEN CURTIS: Thank you. I am Ben Curtis. I live in Newhall. I have a rather unique position in regard to this project. As most of you know I am a competitor of Transit Mix and Southbound Corporation. I guess I am a competitor, it's like a David and Goliath kind of a thing. I operated in that same exact location for over 20 years, from 1968 through 1989. Most of you did not even know we were there. Due to an obscure US Supreme Court decision, I lost the rights to excavated the minerals on that site in about 1984. I have been involved in a legal battle with the United States Government and Transit Mix for 14 years over this. As it stands right now, I am the owner of the property, the surface of the property, not the mineral estate. It is a bifurcated estate. I pay the property taxes on the site and will continue to pay the property taxes on the site. I have never been consulted by the County on this case at all. The problems with the project are not all shown in the analysis of the Draft EIR. A number of Transit Mix's plants of operation are faulty at best and probably intended to obscure the realities. I can honestly say that, and although I abhor the concept of an expert, on that piece of property I am probably the expert. I have walked it on my hands and knees for 20 years, I know everything about it. Given the 10 years of legal battles with Transit Mix and the BLM, I can attest to their attitudes toward the public at large. Their intent is to get what they want without guidelines of safety. There are alternatives. They say there are not acceptable alternatives. There are alternatives. Project size physically is an alternative. The project size by tonnage removed is an alternative. If you look at what we did back about 10 years ago, we submitted a plan to the County of Los Angeles to excavate the same area. At the time we suspended our application, we were in consideration of a negative declaration, so there was no problem for that. Can I finish? Sure, if we have the

opportunity to excavate there, we will be in the process of trying to get a permit ourselves. There is no question about that. Our plan was to take out about 12 to 15 million tons in 30 years. You not have even known we were there. There were a lot of things, and I wrote down some real quick notes, but there are a lot of things that people are worried about, that are not to be worried about. Blasting, don't worry about the blasting, it is not an issue. We used to blast up there for 20 years. We didn't shoot 9 thousand pounds at a time. We shot 100,000 pounds at a time. Caltech can tell you the instant we blasted for the last 20 years, because it showed up on every seismograph in town and you didn't even know it happened. The blasting issue is a lost leader for you, its not an issue, don't worry about it. The only thing that blasting will do is raise new dust. The biggest problem you've got is transportation. The next biggest problem you've got is the dust, which they do not intend to mitigate. Another problem, these are not like 1, 2 and 3, but more like A, sub A and sub B, is the water. They are going to take 400-acre feet a year of water out of that riverbed. Well, what is a half-acre per year per household, something like that? Three million gallons per acre foot. There will be no wells left in Acton/Aqua Dulce. Now how much city water is in Acton/Aqua Dulce, zero. All I can say, and I know I have taken a lot more time

MAYOR DARCY: You could write on a card and leave some more comments if you want to. We have a lot of other

BEN CURTIS: Sure. But if anyone wants to talk to me, they can get hold of me at anytime.

MAYOR DARCY: I think the press will want to talk to you, for one. Andy Fried, followed by Marsha McLeon.

18

ANDY FRIED: Good evening. Thank you very much for opportunity to address you this evening. We think it is very important to know whom it is that we are dealing with. The Southdown Corporation is the only company in the history of the State of Ohio, to be turned down for a Hazard Waste permit. They were disallowed. This happened in 1994 and to quote "Applicant, being Southdown, did not demonstrate an ability or intent to adequately respond to and address board member's questions regarding applicant's documents. What was demonstrated, however, was the applicant's sloppy engineering, sloppy science and a disposition that 'errors and inconsistencies are not important and the board should not worry'". Applicant, being Southdown, continued that response to the board's fundamental questions was that they could not answer at all. There are actually 20 reasons why the board in Ohio turn Southdown down for this permit, most of them starting with the words inconsistencies, underestimation, disregard for estimates, disregard, violation, violation, violation. I think it is very important that we have a lot more time to look into exactly whom it is that we are dealing with. Thank you very much for the opportunity to talk to you.

MARY DARCY: Thank you so much. Marsha McLeon will be followed by Lynne Planbeck and Chris Hoefflin.

19 **MARSHA MCLEON:** Good evening. My name is Marsha McLeon, and I am President of the Santa Clarita Valley Canyons Preservation Committee. I am here this evening representing myself. Where to begin? It seems like entities outside the Santa Clarita Valley are constantly, constantly trying to put projects within distance of the Santa Clarita Valley, which are going to adversely effect the quality of life for us here in the Santa Clarita Valley. How do you fight that? I was in a meeting last evening, and it is almost mind boggling with the things that are going on.

Number one, they want to put a road through our Placerita Canyon Park, which will devastate that park. Number two, there is development proposed for Whitney Canyon, but because Los Angeles County says that you have to leave a 2,000-foot buffer for the proposed Elsmere Canyon Landfill, the developer pulls out of that. Number three: The proposal for an 80 million landfill in Elsmere Canyon remains a very viable prospect in the name of Los Angeles County. What do you do? All of the people here this evening have a huge problem dealing with themselves, however, it also affects the whole Santa Clarita Valley. So what do you do? Maybe it is time for us to get a valley-wide group going called Citizens for a Livable Community, so that we can sustain our quality of life in this valley, and have a huge organization to fight every single thing that is proposed to destroy the quality of life within the Santa Clarita Valley. I do support the City's proposal to do this. I also would advocate educate, educate, educate, and lets get the citizens of Santa Clarita Valley to organize to protect our whole valley.

MAYOR DARCY: Thank you. Lynne Planbeck, followed by Chris Hoefflin.

20 **LYNNE PLANBECK:** I am Lynne Planbeck representing the Santa Clarita Organization for Planning and Environment. First, I want to say that I was kind of interested when you described the impacts of this project on this valley, and that it sure sounded a whole lot like the impact of Newhall Ranch on this valley, but I guess we wont go into that.

COMMENT: That's okay, I felt the same way.

LYNNE PLANBECK: I am really pleased that the City is being supportive of the community's efforts to fight this project. Thank you so much. I hope that as time goes on, if you find that \$50,000 is not enough to hire consultants, that we will be able to disavow some of the misinformation in the EIR, that you will consider putting forward more funds. I also wanted to request the City Council, yesterday the EIS came out on this project. When we went through an EIR process for Elsmere, which was also a federal process and EIS process also. Those two processes were able to be joined. I would like to ask the City Council if they would please request the County and BLM join the two processes so that the community does not have to go through the efforts of two sets of meetings and two sets of environmental documents, and that the BLM work with the community the way the City has been working with the community to facilitate good public input on this. Thank you.

MAYOR DARCY: Charmaine Posten will follow Mr. Hoefflin.

21 CHRIS HOFFLIN: Mayor Darcy, Council Members, and staff, good evening. I am Chris Hoefflin from Sand Canyon, Chairman of the Michael Hoefflin Foundation for Children's Cancer. This evening I am here before you as an individual who is deeply concerned about the well being and health of our children here in Santa Clarita. We are a community of young families. The project that is proposed, this mining project and one that is adjacent that would follow, could have a very adverse effect on our young families. I think the opportunity for having mined this area existed many decades ago. Now with the growth in the Santa Clarita Valley and the influx of many young families, that opportunity window has now closed. I support your recommendation. I would encourage you to apply or to provide additional funds beyond the \$50,000, to ensure that there is no opportunity for this project to move forward, so that we can live comfortably, for the health of our children. Thank you.

22 MAYOR DARCY: Ms. Posten.
CHARMAINE POSTEN: Inaudible.

MAYOR DARCY: Thank you.

CHARMAINE POSTEN: I am Charmaine Posten, I live in Sand Canyon; and very, very near Soledad Road.

MAYOR DARCY: Excuse me, the speaker needs to come to the podium please.

CHARMAINE POSTEN: I waive my right to speak. I support the appropriation and more than the council members are recommending. I strongly support. Thank you.

MAYOR DARCY: Thank you. The next one is, this is a different position now. This is a position of opposing the recommendation. This is Karen Chebul. You marked it wrong?, okay, so what are you. You were afraid to get up, I know. So what is your position.

23 KAREN CHEBUL: This is my first time doing this. Yes, I oppose the mining company. I have heard the aforementioned, agree with most of it. I am concerned about the air pollutants, the water, everything that everyone has said. But there is another thing that I want to bring up. We bought our home for top dollar. We fully expected it to appreciate, our property. We paid top dollar in our property taxes and we expect top dollar when we sell. But living this close to what I see as a major project of this magnitude, I don't see that happening, with others to follow. I believe that our hills will become eyesores. No one will want to live here. I don't even want to live here if that happens. Okay, I think maybe TMC would then like to agree to compensate the homeowners for their loss in the property values. Please help us, hear our pleas, help our families. We appreciate your consideration.

MAYOR DARCY: Thank you. Bonnie Schilf.

BONNIE SCHILF: I marked it wrong too.

MAYOR DARCY: I didn't even get a chance to say.

24

BONNIE SCHILF: My name is Bonnie Schilf and I moved into the Stone Crest area. My husband and I plan to retire here. We like Canyon Country, we heard about it, we came. However, we are very disturbed about the health issue also. I suffer from chronic bronchitis, my grandchildren have asthma, and we have them at our house regularly. I will not be able to have them there if this current thing passes. One of the things I would like to bring up is, on that geosite yesterday, south bound had an accident this afternoon at the plant. A fan malfunctioned and sent plumes of cement kiln dust into the atmosphere. They called the County Health Department, who responded immediately and it required that the sound bound be put on accident report. There will be other repercussions, but the cement kiln dust is already dispersed throughout the community, and that is not something you want to witness or experience. CKD is pretty nasty stuff. It can have an impact on wildlife, soil, water, etc. Stay positive about your situation, however, and start getting word out to the community, people in the community, residents, political figures and regulators, and this is from one of the gentlemen who has been watching this. Thank you very much. I am for more money.

MAYOR DARCY: Alright, the next one, it looks like Dr. Jonathan Twong.

25

JONATHAN TWONG: Thank you Mayor and City Council. I am a general internist, I practice in Santa Clarita. I also happen to live less than two miles from the site. Some people have mentioned the health consequences. I want to outline for you precisely what they are. If this ten-micron material, basically dust, gets into your eyes, you get conjunctivitis. If you breathe this dust into your sinuses you get infection of your sinuses. If you breathe it down into your lungs, bronchitis, asthma, emphysema. Here's another thing. Pulmonary silicosis. I studied the environment impact report in detail. I did not see any mention of pulmonary silicosis. This material, silicon dioxide, it is found in sand, it is found in quarries, it is found in rocks, it is found everywhere. If you are exposed to this stuff, you can develop severe inflammation, fluid in your lungs, and there is no cure. Also, if you are exposed to it, you could move away and 25 years later still be affected by it. Third, of course, is Valley fever, caused by the cocci immitis organism. The spore is dispersed through the air with dynamiting. Last, if you breathe the stuff, it could cause pulmonary infections, could spread to your bones, spread to your brain, there is no cure for this stuff. Even if you use antifungal medication, you can still die, even with the healthiest populations. Finally, the last outbreak, published by the Journal of American Medical Association, was in Northridge, 203 patients were diagnosed with cocci.. In general, you get four patients per year in Simi Valley. Here they reported 203 cases. So, this is bad news. I support what you are doing. Thank you.

MAYOR DARCY. Thank you, very interesting. Patricia Allen. You didn't state a position.

26

PATRICIA ALLEN: I am against the mining. Patricia Allen, I come to you as the neighbor of Aqua Dulce. I would like to thank you Mayor Darcy, for allowing me to go after the doctor. What I came to you for is to ask for, in addition to the EIR, if you would implement a health law for the safety of the people who become affected by either Valley fever or any other illness through the dust or whatever. Approximately 10 years ago, five miles from that site, was a case of Valley fever, so it is in the area. Like the doctor said, blasting will create it and it will accumulate in the air. I don't think that somebody should wait to go to court many, many years, because they have been affected by this, and allow this company to continue working. A health bond is something that might save a family their breadwinner if he is ill or medical expenses _____. I have contacted Supervisor Antonovich, Regional Planning and Pete Knight and Buck McKeon's office, with all documentation, asking for their support and if anyone else would like to write Regional Planning and support a health bond being added. Thank you.

MAYOR DARCY: Thank you. Connie Warden-Roberts, with a neutral position, followed by Allan Cameron with a neutral position, and Val Thomas with Protect the River.

27

CONNIE WARDEN-ROBERTS: I checked neutral because as President Elect of the Chamber of Commerce, I didn't want to make you think I was representing the Chamber here tonight. However, that indeed, will probably occur in the near future. We would like to make a presentation, a few of us, to the Chamber and get back to you. We will probably form a task force to do it, as we have done before. Approximately two weeks ago, however, with some input from Aqua Dulce people, I convened a meeting that included some Sand Canyon residents, as well as environmental professionals, and some business leaders. We met with the TMC folks and discussed their project and the economic impacts of that. I will say to you, as a person, I am not neutral on it. In fact, I could liken this for the benefit of Jan, Joanne and Lorene, you will remember well the dump the dump efforts and the S.O.S. efforts. We probably had as much authority as the City does now in direct authority, but we had a lot of implied authority and clearly used that to influence the people who made the ultimate decisions. I agree with all of the points that were made here, about potential impacts. I think it is critical that you analyze those in depth, in that there is an inadequate EIR. It is deficient in many areas. The authority lies with BLM and the County. I think we can make enough noise and enough informed noise to make a difference. But, importantly too, there is a sphere of influence that is involved with this and it directly involves the Canyon Country area. I would like to be sure that we move forward on this with a reasonable request for an extension of time, and that you galvanize not only the coffers and money from the City as well as raise monies elsewhere. Thank you.

MAYOR DARCY: Allen Cameron. Did you get my call today.

28

ALLAN CAMERON: Yes Mayor Darcy, I did and I appreciate. Mayor Darcy: Enough said. Go ahead. ALLAN CAMERON: I have already informed quite a few people. Mayor Darcy: Alright, good.

ALLAN CAMERON: I would like to thank you very much. The only reason I checked neutral is because I believe that the proper frame of reference for these proposals is the City's effort regarding the Elsmere Canyon Landfill. Were we four and one-half weeks from a final certification attempt of the Elsmere Landfill, and we asked ourselves would a \$50,000 appropriation to be expended with the results accumulated and submitted in four and one-half weeks, be sufficient to the Elsmere Canyon challenge, then the answer currently would be absolutely, unfortunately not. Probably ten times that expenditure would tragically be in order and probably nine months to two years of additional time would also be required for that challenge to be met. The parallels are astounding. Elsmere Canyon proposed 190 million tons of garbage. Between the Cal Mat Gravel Mine and the Transit Mix Gravel Mine, they propose to remove 330 million tons of our mountainside from our community. It is important that the cumulative effect of both the Transit Mix and Cal Mat proposals be appropriately studied, and that is why more time beyond the 14th of June is absolutely mandatory if the City's studies are to be commissioned and the results obtained and submitted. The EIR and Federal EIS absolutely need to be combined as Lynne Planbeck appropriately mentioned, and for that to occur, more time is absolutely needed than the time between now and the 14th of June. I would like to commend the City for its efforts. They are best characterized as an astoundingly effective good start, but not the conclusion. It is interesting that the people at Transit Mix at one of the meetings, let slip an observation. They said this community was being "selfish" but is concerned about the well being about our entire community. Make no mistake about it, this would damage the entire community. They did not say that we were "nimbi's", but the indication was clear. That was a compliment paid to us. By the way, the best nimbi movement is better known as the United States of America. Thank you.

MAYOR DARCY: Thank you. Val Thomas. You will be happy to know, this is the last card.

29

VAL THOMAS: Last but not least, I hope. Mayor Darcy, members of Council. Newhall County Water District recently sent a letter in response to the EIR. Our letter regarded the inconsistencies of the numbers of their water usage and concern about degradation of the water quality. Last week I was up at a state wide water conference and asked at a regional meeting, for assistance from anybody within the region who knew of problems within their own area, or who could direct me to problems so that we could develop a body of information. Irwindale, of course, came beating a path to my doorstep. The water that is in the bottom of those gravel pits is not run off. It is an open sore into their aquifer and we face that danger here. They also have another project, another huge project waiting in the wings. There is evidently some information in San Diego County about a river scouring project, and I have the district trying to help me research that one. And of course Mono Lake comes to mind. We don't need to reinvent the wheel. We do need of course, to do a great deal of work, but there are people who have suffered through this. We can draw on information from then. As Ben Franklin said, "We must all hang together, or surely we shall hang separately."

MAYOR DARCY: That concludes the public testimony. I want to thank you for your courtesy, civility and for just being the great audience you are tonight. We have had some not always this kind. Thank you again.

Council members, what is your opinion here and what will be your vote?

COMMENT: Where is the Cal Mat project?

MAYOR DARCY: Cal Mat is to the east.

COMMENT: I mean where is it in the process?

MAYOR DARCY: They are just starting to work it through.

COMMENT: Have they done an EIR or are they doing an EIR.

MAYOR DARCY: Jeff knows. There is also a project called the Schmidt Quarry, but it is below that.

COMMENT: As far as we can tell, from the County Planning staff, they were in the process of developing their EIR, currently on hold the Cal Mat project but we expect that it would come back alive, assuming this project went forward. So I think any action that we take on this project is applicable to that adjacent project as well. That is why the third recommendation to look at, cover the big picture would be helpful for us.

MAYOR DARCY: Thank you. Alright.

COMMENT: What was the recommendation?

MAYOR DARCY: I would like to talk about this a little bit. The first thing that strikes me is that \$50,000 is not going to be enough money, so we need to take that into consideration right up front. The second thing that strikes me is that all of this is hinging on a 1947 mining act and it fails to address the fact that we are not somewhere in the middle of an area that is not urbanized. Our highest priority is public health and safety, and there are children and seniors and pets and wildlife. We are really going to have to network with other agencies and certainly impress upon the Federal Government that the mining act is definitely out of touch with what is happening in our community. That is going to be a major effort. I am very concerned about the health issues. I want to talk a little bit about our recommended action. Obviously the cumulative impact really strikes me that we are not just talking about this one project. What we really have to deal with is the fact that there are several projects here and that every one of them has got to go into this process and deal with cumulative impact, or we are just going to keep fighting a battle with one thing at a time. We need to march these impacts together, because under CEQA there is a requirement to look at a regional area and what the cumulative issues are. There are serious health issues, obviously. I am very supportive of moving ahead. I did want to talk a little bit about who the legal specialists should be and what we really

need in terms, what do we have in-house that we can use, because this is going to be an ongoing battle. It is not something we are going to throw \$50,000 at and it is just going to be done.

COMMENT: We haven't specified the specific consultants that we are talking about. We will have conversations, I am sure, with our existing legal services and look beyond that to the extent that we need to get the best expertise we can. But specifically, the areas where we thought the expertise technically would be helpful, making sure that we look for every opportunity in the CEQA process to make sure that is followed to the letter. That is an opportunity for us. We have some expertise in-house, we will look for additional expertise to augment that ability. We have raised what we believe are the key issues, but some of them are very technical. Air quality analysis is very technical, we believe having a consultant who is an air quality expert; particularly noise and vibration issues are important for us and we want to have more on that as well. Those are sort of the key areas, although I think we will look at all of the issues that we have identified and do an analysis of where we think we need, more than what staff has to offer. The other issue, the reason that we brought this to the council this way is because we could devote some of the expertise we have in-house, but we have a lot of other things on our plate and we want to make sure that this does not fall through the cracks or gets spread out among many people and doesn't really keep the focus. This will help us do that by having the consultants help us do that.

MAYOR DARCY??: I know we also need to ask for more time and I really believe we should ask the assistants of every other governmental agency possible, in the southern part of the state because we are not the only community that has had to deal with this. But I believe that Santa Clarita keeps being used as a test case for these issues and it is time that we get some help. Is it possible for the legal expertise to come from our attorneys, Burke, Williams and Sorensen? I mean the environmental law obviously can be addressed.

COMMENT: (inaudible) probably get most of these services from Burke, Williams and Sorensen, and _____ may be able to answer more of that, or we can come back to you and let you know that, but my sense is that we have the expertise within that firm to do much of the legal work.

COMMENT: Jeff, I see that part of the recommended action was to talk to Congressman McKeon. Is our battle at the Federal level, is it at the County. Ultimately, who are we going to, and who will make the decision whether this happens or is mitigated?

COMMENT: The decision that we are currently reviewing is a County decision on the land use approval for this facility. One of the things that has been raised, the County is looking at it as well with their legal council, is how much authority we have, or I should say, the County has, to really say yes or no to this project, and how much is precluded by the fact that it is BLM property? That is an area where we believe we see some real clear direction and clarification, and legally sort of within the hierarchy of government. Do we really have the ability, does the County I guess, really have the ability to say yes or no, or

to put significant limits on it. We want to make sure that we understand the realm of our ability to control this project before we spend the time to specifically control it. That is one of the first steps we would do, is to evaluate that. The County is already doing that; the County Planning Commission asked their legal council to look at the same issue. We envision that we will both be looking at that issue and hopefully we will come up with the same answer.

MAYOR DARCY: Can I ask Carl Newton a question? Carl, under the 1947 Mining Act, they are dealing with these areas as though we are a wilderness area, and there seems to be a complete failure here to address the fact that there are human beings living very close to something that is obviously extremely dangerous. So, there are Federal indications here that are very confusion.

CARL NEWTON: Yes, the Surface Mining and Reclamation Act of 1975 is really the one that is most precisely involved. One of my partners has dealt with that act extensively and, I think that is the one that bears upon the power of the County to grant or deny the application that is made here.

MAYOR DARCY: Okay, so you have worked on this in other areas?

CARL NEWTON: My partner has, yes.

MAYOR DARCY: Any other questions? We have a motion, could we have a second.

COMMENT: I guess the question I have is \$50,000, when they start listing

MAYOR DARCY: This is just the beginning.

COMMENT: This does not specifically state that we are using our in-house and our City attorney and their staff. I meant is basically says that we are going outside, and I know we are filling Mike Murphy's position, and that will be a professional that will be back on board in-house, so can we direct to you as much of our in-house as possible. I have no problem with the recommended action, and I just believe that we will end up spending more, but I would like to use

MAYOR DARCY: I understand that and we most likely will do that, do the best of our ability. And we will obviously want to enlist all the help we can from our Congressman and other.

COMMENT: Why did we not include Senator Feinstein and Barbara Boxer.

COMMENT: I think we should. Go to all of them and request assistance and they may have information from other areas where they have to assist people in different communities with similar issues and they may be able to help us. This is going to be another major Elsmere Canyon battle and beyond. As much as I am not looking forward to this, but since it is going to be, it looks like we are going to have to get more involved

with all of the group. Like Marsha said, she is absolutely right, in order to fight this it is going to take more than money, because it took more than money to fight Elsmere Canyon and to defeat it, it took organization, it took all of the community groups, all of the efforts of many hundreds of people. And it has to be directed, you can't just go off and shoot in every direction, we have to have targets and target dates, and we have to be focused. So we are going to need to find out who pushes the buttons at BLM. Who are their leaders? Do we know them? I have never met them. I know that we had met some of them, didn't we Marsha, somewhere a long the line, a long time back. They have probably all changed now, but we need to know whom these people are and we need to know who pushes their buttons.

COMMENT: We went there, was it Black Hawk Mining who tried to start up, Black Diamond Mines in Sand Canyon who tried that. I don't know whether or not we want to appoint a staff person to be a point person, to meet with the leaders of all these different groups and organizations, or, what do you think George? Are you going to do it?

GEORGE: You appoint me.

MAYOR DARCY: I appoint you.

COMMENT: The first step in using this money wisely is to start off by figuring out how to best use the money, come up with a plan of attack to use the money properly, so we can make it go as long as it can, and that is the first step we would do.

MAYOR DARCY: Well, \$50,000 is a lot more than you think if you have everyone organized. There are a lot of people out there who are very intelligent and you can do a lot more than you think you can do. We sure found them and I know they are out there. If we just get ourselves organized, we can do a lot of the work and save us a lot of money. It takes a lot of time.

COMMENT: I support this, you know I do, 100,000 percent. I am going to do everything I can to stop it, but boy, it sure does rile-me to see what we are doing here tonight, when we wouldn't do the same for Newhall Ranch. There were no consultants hired, no environmental specialists. I think we sent 17 pages of comments and they disappeared off the face of the earth and they went down to 14 little things, and we sold out for a trial, low-income housing and a traffic analysis.

MAYOR DARCY: Jill, please.

COMMENT: That is what we sold out for Newhall Ranch, and I hope that this Council will not do the same to you.

COMMENT: Mayor, call the question please. These are two different issues that are not even the same.

COMMENT: They are the same and we should be doing a cumulative analysis on all of the (inaudible) projects that are going on in this valley, not just one that is not owned by a special developer.

COMMENT: Mayor, call the question please.

COMMENT: We have a motion.

MAYOR DARCY: All right. I would like to expand the motion to put in, what is the time length that we want, the extension.

COMMENTS: Several people discussing at same time, inaudible.

MAYOR DARCY: You are going to need as much time as you possibly can get. Our immediate problem is that we need a detailed letter sent. We have a preliminary letter sent. We need a detailed letter sent and we are going to need to prepare the public's testimony for the July 14th hearing. There is going to have to be somebody orchestrating the public testimony that is going to be given July 14th, you know, like we've done (inaudible), that is going to be a major effort right there. What ever our City Attorney thinks would be appropriate to be asking for as a time extension.

CARL NEWTON: I would defer to our Planning Department as to what they think would be reasonable to request under the circumstances.

COMMENT: An additional 90 days would give us until mid September, assuming we can get whoever we need on board quickly. That would probably give us adequate time. We could ask for somewhere between two and six months, and then see what we can get, but I think 90 days would be a pretty reasonable amount of additional time.

MAYOR DARCY: Why don't we ask for six months, and they will probably give us three, but ask for six.

COMMENT: That should be part of the motion and part of item #2 here was to ask Barbara Boxer and Diane Feinstein, as well as Pete Knight and George Runner?

MAYOR DARCY: I would ask for all of the water agencies as well, to assist.

COMMENT: Okay.

MAYOR DARCY: Could we put in there for the EIR to be combined with the EIS.

COMMENT: That would have been our recommendation

COMMENT: (inaudible) EIS and EIR combined so the public does not have to do double meetings. Very good idea.

COMMENT: Would the Forest Service be one of our allies, should we.

MAYOR DARCY: You know, they are really good. Maybe we can get them to help us with the BLM.

COMMENT: On the recommended action, since we are getting someone to replace Mike Murphy, can we remove the word lobbyist and use our new person.

MAYOR DARCY: I had already asked for that.

COMMENT: We might use both. It depends, not unlike your comments about organization, I think we need to give some thought to that and do an entire strategy, organizing, meeting, similar to what we did with Elsmere. Do a long-term plan for six months or one year.

MAYOR DARCY: Will you be coming back us with that.

COMMENT: Well, are going to just do it and you can participate and when we get it done, we can bring it back to the Council too. I think it will probably take a month or so to get organized and do it.

MAYOR DARCY: I just want to say that when we talk about going out to consultants, I always have a concern. They don't have the same commitment that our in-house staff does and our in-house attorney. Even though our in-house attorney would be using a CEQA expert who has done this before. So, I am very comfortable is using as many of the people that we work with on an ongoing basis, and then if they see they need specific research scientists, then we proceed that way. That way we know that we are keeping close to the vest and we are doing the very most that we can do and there is a real commitment.

COMMENT: Like Joan said, we are going to be dealing with this for a while.

COMMENT: I agree with that. That is what we do, we manage our consultants. The only issue now is that we have so many things going, so just putting another brick on the plate of the staff member might be difficult, but I understand what you are saying. When needed, we will use a specialist or a lobbyist in Washington for example. The Mayor and I will be back there on the 14th and I was thinking that if we can't get results with the BLM here, we will talk to them there and use the lobbyists back there. So, those kinds of things we will set in motion. When we get the group together, we might come up with other ideas, and we need to list all of those ideas with target dates and someone assigned to make sure that it is carried out. So, we will do that.

MAYOR DARCY: We will be using our legal firm?

COMMENT: Yes. Steve's our attorney and that is whom we work with, and if he feels that if we need to get someone else, then we will do that. But, he says he has the help so far.

MAYOR DARCY: I appreciate the staff's hard work on this.

COMMENT: If we need more money, we will come and ask it.

MAYOR DARCY: We have a cumulative from all of us, a cumulative motion here? Sharon did you get all of those things.

SHARON: Yes, I believe so.

MAYOR DARCY: Did you get all those things?

COMMENT: I don't have who seconded.

MAYOR DARCY: I'll second. Thank you. Roll call please.

COMMENT: Council member Weste: Yes. Council member Klajic: Yes. Council member Heidt: Yes. Council member Ferry: Yes. Mayor Darcy: Yes. Motion carries.



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BEFORE THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES



REPORTER'S TRANSCRIPT OF PROCEEDINGS

BEFORE MS. CAMPBELL, VICE CHAIR

L.A. COUNTY SOLEDAD CANYON SAND
& GRAVEL MINING PROJECT,
NO. 91-165-5

VALENCIA HIGH SCHOOL
27801 NORTH DICKASON DRIVE
VALENCIA, CALIFORNIA

WEDNESDAY, JULY 14, 1999
4:00 P.M. - 7:05 P.M.

REPORTED BY:
JOLYNE K. ROBERTS
C.S.R. NO. 10823

**CERTIFIED
COPY**

JOB NO.: 54618

CORPORATE OFFICE: Eastland Securities Bldg. • 599 S. Barranca Avenue • Penthouse • Covina, CA 91723

IRVINE
Jamboree
Center

LOS ANGELES
Broadway
Plaza

ONTARIO
Pacific
Office Center

PALM SPRINGS
Wells Fargo
Bank Building

SAN BERNARDINO
Vanir
Tower

SAN DIEGO
Emerald
Shapery Center

APPEARANCES:

MS. RUIZ

MR. PEDERSON

MR. TOY

MS. CAMPBELL

MRS. VARGO

MS. MOORE

MR. CULBERTSON

MS. FRIES

CAPTAIN STOKES

1 VALENCIA, CALIFORNIA, WEDNESDAY, JULY 14, 1999

2 4:00 P.M.

3 -000-

4
5 (FIRST 45 MINUTES OF HEARING IS TRANSCRIBED
6 FROM THE TAPE; REPORTER NOT PRESENT.)
7

8 MS. CAMPBELL: GOOD AFTERNOON. I'D LIKE TO CALL THE
9 LOS ANGELES REGIONAL PLANNING COMMISSION MEETING OF JULY
10 14, 1999 TO ORDER, PLEASE.

11 MR. CULBERTSON, IS THERE A DIRECTOR'S REPORT?

12 MR. CULBERTSON: THERE IS NO DIRECTOR'S REPORT THIS
13 EVENING.

14 MS. CAMPBELL: MS. FRIES, IS THERE A COUNTY COUNSEL
15 REPORT?

16 MS. FRIES: NO, I HAVE NO REPORT TODAY.

17 MS. CAMPBELL: OKAY, THINGS ARE MOVING SWIMMINGLY.

18 IS THERE A PLANNING STUDIES UPDATE REPORT?

19 UNIDENTIFIED SPEAKER: NO, THERE IS NOT.

20 MS. CAMPBELL: ALL RIGHT. HOW ABOUT DISCLOSURE OF EX
21 PARTE COMMUNICATIONS? GOING ONCE?

22 UNIDENTIFIED SPEAKER: SINCE I HAVE A LIST OF
23 TELEPHONE NUMBERS OUT HERE, I CAN REPORT A LOT OF EX PARTE
24 COMMUNICATIONS IN THE LAST WEEK ON THIS SUBJECT.

25 MS. CAMPBELL: WELL, SINCE WE WANT TO END AT 7:00, I
26 THINK I'LL JUST PASS ON THOSE COMMUNICATIONS, IF YOU DON'T
27 MIND.

28 LADIES AND GENTLEMEN, WE ARE GOING TO OPEN THE

1 PUBLIC HEARING FOR TESTIMONY. WE WOULD LIKE YOU TO BE
2 ADVISED THAT GIVEN THAT WE HAVE TRAVELED A LONG DISTANCE,
3 WE DO EXPECT TO END THIS MEETING BY 7:00 TONIGHT. WE WOULD
4 LIKE TO LIMIT THE TESTIMONY TO THREE MINUTES PER SPEAKER
5 WITH ONE EXCEPTION, AND THAT IS THE PLANNING DIRECTOR FROM
6 THE CITY OF SANTA CLARITA -- IS THAT CORRECT (INAUDIBLE)?

7 UNIDENTIFIED SPEAKER: YES.

8 MS. CAMPBELL: AND IF THERE'S NOTHING FURTHER, WE'LL
9 GET TO THE ZONING PERMITS FOR SURFACE MINING PERMIT NUMBER
10 91-165-5. AND OUR FIRST SPEAKER WILL BE MAYOR OF THE CITY
11 OF SANTA CLARITA, JO ANNE DARCY. WOULD YOU PLEASE COME
12 FORWARD?

13 FIRST OF ALL, COULD I HAVE EVERYONE THAT WOULD
14 LIKE TO TESTIFY IN THIS MATTER TO PLEASE STAND UP TO BE
15 SWORN.

16 MS. MOORE?

17 MS. MOORE: WOULD YOU PLEASE RISE AND RAISE YOUR
18 RIGHT HAND.

19 DO EACH OF YOU SWEAR OR AFFIRM THAT THE
20 TESTIMONY YOU MAY GIVE IN THE MATTER NOW PENDING BEFORE THE
21 PLANNING COMMISSION SHALL BE THE TRUTH, THE WHOLE TRUTH,
22 AND NOTHING BUT THE TRUTH?

23 THE AUDIENCE: I DO.

24 MS. MOORE: PLEASE BE SEATED EXCEPT FOR MAYOR DARCY.

25 UNIDENTIFIED SPEAKER: MADAM CHAIRMAN, AS THE
26 SPEAKERS ARE COMING UP, PERHAPS YOU MIGHT ASK PEOPLE TO
27 COME UP TWO AT A TIME JUST TO SAVE TIME. ONE AS THEY'RE
28 SPEAKING, THE OTHER CAN BE SIGNING IN.

1 MS. CAMPBELL: OKAY, VERY GOOD.

2 MS. DARCY: GOOD AFTERNOON, LADIES AND GENTLEMEN AND
3 MEMBERS OF THE REGIONAL PLANNING COMMISSION. VERY GLAD TO
4 SEE YOU AGAIN, AND WE HAVE HAD VERY SATISFACTORY MEETINGS
5 WITH YOUR GROUP BEFORE OUT HERE, SO WE WELCOME YOU BACK.

6 MS. CAMPBELL: THANK YOU.

7 1 MS. DARCY: YOU'RE VERY WELCOME.

8 I'D LIKE TO BEGIN BY THANKING YOU FOR
9 SCHEDULING THIS PUBLIC HEARING WITHIN THE SANTA CLARITA
10 VALLEY TO PROVIDE AN OPPORTUNITY FOR ALL AFFECTED AND
11 CONCERNED RESIDENTS TO PROVIDE INPUT INTO THIS IMPORTANT
12 PROCESS.

13 BEFORE I GO FURTHER, I'D LIKE TO RECOGNIZE
14 SEVERAL COMMUNITIES AND ORGANIZATIONS REPRESENTED HERE THIS
15 EVENING, INCLUDING THE AGUA DULCE TOWN COUNCIL, THE TOWN OF
16 ACTON, STONECREST COMMUNITY, SAND CANYON HOMEOWNERS
17 ASSOCIATION, S.C.O.P.E., SANTA CLARITA VALLEY CHAMBER OF
18 COMMERCE, SANTA CLARITA VALLEY CANYONS PRESERVATION
19 COMMITTEE, SAFE ACTIONS FOR THE ENVIRONMENT AND SAFE
20 ACTIONS FOR ENVIRONMENTAL SAFETY.

21 OVER THE PAST FIVE MONTHS WE HAVE BEEN WORKING
22 CLOSELY WITH THOSE GROUPS COORDINATING WITH THEM TO
23 IDENTIFY ALL POTENTIAL CONCERNS RELATED TO AIR QUALITY,
24 TRAFFIC, NOISE, VISUAL IMPACT, LAND USE AND HEALTH. SINCE
25 THE RELEASE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
26 PUBLIC REVIEW IN MARCH, WE HAVE HEARD FROM HUNDREDS --
27 LITERALLY HUNDREDS -- OF RESIDENTS REGARDING THE PROJECT'S
28 EFFECT ON THE ENVIRONMENT AND ITS POTENTIAL EFFECTS ON THE

1 HEALTH, SAFETY AND AIR QUALITY OF THE VALLEY AND ITS
2 RESIDENTS.

3 IN RESPONSE TO THIS OUTCRY, THE CITY LAUNCHED
4 AN AGGRESSIVE EFFORT TO FURTHER EVALUATE THE POTENTIAL
5 SHORT- AND LONG-TERM IMPACTS OF THE PROJECT AS WELL AS
6 DEFICIENCIES IN THE DRAFT E.I.R. THE CITY HAS ALSO HOSTED
7 TWO COMMUNITY MEETINGS WHICH TOGETHER WERE ATTENDED BY OVER
8 350 CONCERNED RESIDENTS OF BOTH THE CITY OF SANTA CLARITA
9 AND COMMUNITIES IN THE UNINCORPORATED AREA OF LOS ANGELES
10 COUNTY.

11 THROUGHOUT THIS PROCESS WE HAVE ENCOURAGED THE
12 RESIDENTS OF THE SANTA CLARITA VALLEY TO SEND THEIR
13 COMMENTS TO YOU FOR YOUR CONSIDERATION. WE KNOW THAT THE
14 LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING HAS
15 RECEIVED HUNDREDS OF LETTERS, INCLUDING A PETITION SIGNED
16 BY 22 -- OR 2,500 PEOPLE. THE CITY URGES YOU TO CAREFULLY
17 CONSIDER THESE COMMENTS PRIOR TO MAKING YOUR FINAL
18 DECISION.

19 IN SHORT, THE CITY FINDS THAT OPERATIONS
20 ASSOCIATED WITH THIS MINING PROJECT WILL HAVE AN ADVERSE
21 AND IRREVERSIBLE IMPACT ON THE VALLEY'S ENVIRONMENTAL
22 RESOURCES AND VISUAL CHARACTER.

23 I WOULD LIKE TO REPEAT THAT BECAUSE IT'S
24 IMPORTANT: IN SHORT, THE CITY FINDS THAT OPERATIONS
25 ASSOCIATED WITH THIS MINING PROJECT WILL HAVE AN ADVERSE
26 AND IRREVERSIBLE IMPACT ON THE VALLEY'S ENVIRONMENTAL
27 RESOURCES AND VISUAL CHARACTER.

28 THE CITY OF SANTA CLARITA IS COMMITTED, AS IS

1 THE COUNTY, TO THE PROTECTION OF THE ENVIRONMENT, THE
2 PREVENTION OF LAND USE CONFLICT, AND A HIGH QUALITY OF LIFE
3 FOR ALL VALLEY RESIDENTS. AT THIS TIME I'D LIKE TO ASK YOU
4 TO CONSIDER HOLDING YOUR NEXT MEETING OUT HERE BECAUSE OF
5 THE GREAT APPRECIATION THAT HAS BEEN EXPRESSED BY OUR
6 RESIDENTS FOR BEING ABLE TO ATTEND IN THEIR OWN HOME CITY
7 AND TOWN. WE'D LIKE TO ASK YOU TO SCHEDULE YOUR NEXT
8 MEETING OUT HERE FOR THEIR CONVENIENCE AS WELL, IF THAT'S
9 POSSIBLE.

10 I'D ALSO AT THIS TIME LIKE TO INTRODUCE JEFF
11 LAMBERT, OUR DIRECTOR OF PLANNING AND BUILDING SERVICES FOR
12 THE CITY OF SANTA CLARITA, WHO WILL ELABORATE ON THE CITY'S
13 ISSUES AND MAJOR AREAS OF CONCERN RELATED TO THIS MINING
14 PROPOSAL.

15 IN CLOSURE, I'D LIKE TO AGAIN SAY THANK YOU TO
16 ALL OF YOU FOR YOUR PATIENCE AND UNDERSTANDING AND I KNOW
17 YOUR FAIR JUDGMENT. THANK YOU.

18 MS. CAMPBELL: THANK YOU.

19 I WAS GOING TO ASK YOU TO HOLD YOUR APPLAUSE SO
20 THAT WE CAN MAXIMIZE OUR TIME.

21 AND WOULD THE REPRESENTATIVE FROM AGUA DULCE
22 TOWN COUNCIL PLEASE COME FORWARD AS WELL.

23 MR. LAMBERT?

2

24 MR. LAMBERT: THANK YOU. GOOD AFTERNOON
25 COMMISSIONERS AND COUNTY STAFF.

26 AS THE MAYOR SAID, MY NAME IS JEFF LAMBERT.
27 I'M THE DIRECTOR OF PLANNING AND BUILDING SERVICES FOR THE
28 CITY OF SANTA CLARITA. AND I, TOO, WANT TO WELCOME YOU TO

1 SANTA CLARITA. ALTHOUGH YOU'RE TECHNICALLY OUTSIDE OUR
2 CURRENT BORDERS, YOU'RE IN AN AREA THAT WILL SOON BE
3 ANNEXED INTO THE CITY, WE HOPE. SO WELCOME YOU TO OUR
4 VALLEY FOR NOW.

5 MS. CAMPBELL: SO WHERE ARE WE?

6 MR. LAMBERT: IT LOOKS LIKE YOU'RE IN SANTA CLARITA,
7 BUT YOU'RE JUST OUTSIDE OUR BORDERS.

8 MS. CAMPBELL: IN THE COUNTY.

9 MR. LAMBERT: YOU'RE IN THE COUNTY. YOU'RE ON YOUR
10 TERRITORY.

11 I APPRECIATE THE OPPORTUNITY TO SPEAK TO YOU
12 TODAY AND WANT TO THANK THE COMMISSION FOR PROVIDING ME
13 SUFFICIENT TIME TO TRY TO WALK THROUGH THE CITY'S ISSUES.
14 AS YOU'VE PROBABLY SEEN, WE GAVE YOU A THICK PACKET OF
15 INFORMATION, AND I KNOW IT WILL TAKE ME SOME TIME TO GET
16 THROUGH THAT, AND I APPRECIATE THE OFFER.

17 FOR THE RECORD, I WANT TO MAKE IT CLEAR THAT WE
18 DID SUBMIT -- EVERYTHING THAT I'M SAYING TO YOU TODAY IS A
19 SUMMARY OF MATERIAL THAT WE SUBMITTED ON JULY 2ND TO THE
20 PLANNING COMMISSION, AND I'M SIMPLY GOING TO SUMMARIZE
21 THOSE POINTS.

22 I THINK MAYOR DARCY GAVE YOU A GOOD SENSE OF
23 THE IMPORTANCE OF THIS ISSUE TO THE CITY AND AS WELL TO THE
24 COMMUNITY IN THIS VALLEY, AND THAT INCLUDES RESIDENTS OF
25 SANTA CLARITA AND RESIDENTS OF THE VALLEY AND THE REGION
26 BEYOND OUR BORDERS. MY ROLE HERE TODAY IS TO BRIEFLY
27 REVIEW FOR YOU OUR TECHNICAL ISSUES OF GREATEST CONCERN. I
28 WILL REVIEW ISSUES OF INADEQUACY IN THE DRAFT E.I.R. AND

1 THEN BRIEFLY REVIEW THE SPECIFIC ENVIRONMENTAL ISSUES THAT
2 WE'VE SEEN IN REVIEW OF THIS PROJECT. I THINK THAT YOU'LL
3 SEE THAT THERE WILL BE MANY SPEAKERS AFTER ME THAT WILL
4 GIVE YOU MUCH MORE DETAILED INFORMATION, AND ALSO THERE'S
5 MORE DETAILED INFORMATION IN THE MATERIAL WE'VE MAILED TO
6 YOU.

7 BUT BEFORE I PROCEED I WANTED TO JUST TAKE A
8 MOMENT TO THANK YOUR STAFF. I THINK THE CITY OVER THE LAST
9 11 YEARS HAS HAD SORT OF ROCKY RELATIONSHIPS WITH THE
10 COUNTY, AND I THINK IN THE LAST COUPLE OF YEARS THAT'S VERY
11 MUCH TURNED AROUND. AND I WANT TO PARTICULARLY ACKNOWLEDGE
12 JULIE MOORE AND THE OTHER PLANNING STAFF MEMBERS WHO HAVE
13 BEEN VERY FORTHCOMING WITH US AND WORKING WITH US, GIVING
14 US INFORMATION THAT WE NEEDED TO HELP US FORM OUR OPINIONS.
15 AND WE REALLY APPRECIATE THAT, AND WE LOOK FORWARD TO
16 CONTINUING TO WORK WITH THE STAFF IN THAT MANNER.

17 LET ME NOW WALK THROUGH SOME OF THE ISSUES WE
18 HAVE WITH THE DRAFT E.I.R., THEN I'LL WALK THROUGH SOME
19 ISSUES WITH THE SPECIFIC ENVIRONMENTAL ISSUES, AND THEN YOU
20 CAN LISTEN TO OTHER PEOPLE OTHER THAN ME AFTER THAT.

21 BASED ON OUR CITY COUNCIL'S DIRECTION, A FEW
22 MONTHS AGO WE HIRED A TEAM OF E.I.R. SPECIALISTS:
23 GEOLOGISTS, CIVIL ENGINEERS, BIOLOGISTS AND TRAFFIC
24 ENGINEERS. THE COUNCIL FUNDED US TO HIRE ALL THESE EXPERTS
25 TO HELP US REVIEW THE DOCUMENT AND PROVIDE THE TECHNICAL
26 EXPERTISE THAT WE DIDN'T HAVE WITHIN THE CITY STAFF. WE
27 SEE THIS WORK AS EVIDENCE OF THE CITY'S COMMITMENT TO

28 ASSIST THE COUNTY IN REVIEWING THIS PROJECT AND HELPING THE

1 COUNTY MAKE THE RIGHT DECISION FROM A TECHNICAL PERSPECTIVE
2 ON THIS PROJECT.

3 IN SHORT, WE BELIEVE THE DRAFT E.I.R. IS
4 FATALLY FLAWED AND THAT IT MUST BE SUBSTANTIALLY REWRITTEN.
5 AND I'LL TRY TO HIGHLIGHT SOME OF THOSE ISSUES SHORTLY.
6 FIRST, THE DOCUMENT FAILED TO INCLUDE INFORMATION NECESSARY
7 TO ENABLE AN INDEPENDENT PEER REVIEW OF THE MANY FINDINGS
8 AND CONCLUSIONS. I THINK THERE'S SIMPLY NOT ENOUGH
9 INFORMATION IN THE DOCUMENT TO OFFER AN OPPORTUNITY FOR
10 MEANINGFUL PUBLIC REVIEW AND COMMENT. AND THAT'S SORT OF
11 AN OVERALL COMMENT ON THE DOCUMENT.

12 IN ADDITION, THE DRAFT E.I.R. INCLUDES
13 OUT-OF-DATE INFORMATION AND INADEQUATE ANALYTICAL
14 TECHNIQUES. THE FOLLOWING ARE JUST A FEW EXAMPLES OF
15 MISSING OR INADEQUATE INFORMATION IN THE DOCUMENT: FIRST,
16 THERE'S NO REVEGETATION PLAN IN THE DOCUMENT. SECOND,
17 THERE'S NO RECLAMATION PLAN FOR THIS SITE. THERE'S ALSO
18 MISSING REFERENCES -- THE REFERENCES IN THE GEOTECHNICAL
19 REPORT ARE MISSING.

20 THE SEISMIC ANALYSIS DEVIATES FROM STANDARD
21 PROCEDURES IN A WAY WHICH UNDERESTIMATES THE POTENTIAL FOR
22 ON-SITE GROUND MOTION. THE BIOLOGICAL RESOURCES ANALYSIS
23 IS BASED ON OUTDATED STUDIES AND INFORMATION. AND JUST TO
24 GIVE YOU SORT OF A SENSE OF HOW WE LOOKED AT THAT, IT
25 FAILED TO ADDRESS A NUMBER OF SENSITIVE SPECIES THAT HAVE
26 THE POTENTIAL OF BEING ON THE SITE BASED ON THE HABITAT
27 THERE, BUT IT ALSO ADDRESSES SOME SPECIES THAT WE DON'T
28 BELIEVE OCCUR WITHIN 300 MILES OF THE SITE. SO WE THINK

1 THAT'S AN ERROR IN THE DOCUMENT ITSELF.

2 WE ALSO BELIEVE THE BASELINE AIR QUALITY DATA
3 IS OUT OF DATE. THE PROJECT TRAFFIC IMPACT IS
4 SUBSTANTIALLY UNDERESTIMATED BECAUSE IT DOESN'T USE
5 CURRENTLY ADOPTED PASSENGER CAR EQUIVALENCIES, AND THAT'S
6 THE COMPARISON OF TRUCKS TO HOW MANY CARS EQUALS A TRUCK.
7 AND WE DON'T BELIEVE THAT THAT NUMBER WAS ACCURATELY
8 DONE.

9 WE ALSO BELIEVE THE PROJECT DESCRIPTION IS
10 INADEQUATE AS IT UNDERESTIMATES THE TOTAL TONS TO BE MINED
11 ON THIS PROPERTY. IT ANALYZES 56.1 MILLION TONS, BUT THERE
12 IS A POTENTIAL OF 64 MILLION TONS, AND THAT'S AN INADEQUACY
13 IN THE PROJECT DESCRIPTION.

14 THE E.I.R. FAILED TO IDENTIFY SIGNIFICANT
15 ENVIRONMENTAL IMPACT SUCH AS LIQUEFACTION HAZARDS,
16 POTENTIAL GROUNDWATER IMPACT, LACK OF CONSISTENCY WITH THE
17 AIR QUALITY MANAGEMENT PLAN, AND ON-SITE FLUID LINE STREAMS
18 ARE NOT ADEQUATELY ANALYZED.

19 THE D.X.E.I.R. IDENTIFIES INAPPROPRIATE AND
20 INADEQUATE MITIGATION MEASURES SUCH AS FINANCIAL ASSURANCE
21 BONDS. WE BELIEVE THAT THAT'S AN INADEQUATE MITIGATION
22 MEASURE. AND ALSO MANY OF THE OTHER MITIGATION MEASURES
23 ARE JUST SIMPLY NOT ENFORCEABLE, AND THAT TO US MEANS THAT
24 THEY'RE NOT ADEQUATE MITIGATION MEASURES.

25 WE BELIEVE THAT THERE IS A CLEAR POTENTIAL FOR
26 SIGNIFICANT UNMITIGATED IMPACT IN THE FOLLOWING AREAS:
27 GEOTECHNICAL, WATER RESOURCES, WATER QUALITY, AIR QUALITY,
28 BY AUTO, VISUAL AND TRAFFIC. WE BELIEVE IN THOSE AREAS IN

1 PARTICULAR THERE'S POTENTIAL FOR SIGNIFICANT UNMITIGATED
2 IMPACT AS A RESULT OF THIS PROJECT MOVING FORWARD, AND ARE
3 VERY CONCERNED ABOUT THAT.

4 IN ADDITION, THE CUMULATIVE IMPACT ANALYSIS IS
5 INADEQUATE. FOR EXAMPLE, A NUMBER OF PROJECTS IN THE
6 CUMULATIVE PROJECT LIST ARE NOT INCLUDED IN THE TRAFFIC
7 ANALYSIS, AND THAT SEEMS TO BE AN ERROR IN THE DOCUMENT.
8 ALSO, WE BELIEVE THAT CORRECTING THE NUMEROUS DEFECTS THAT
9 WE FOUND IN THE E.I.R. WILL REQUIRE ADDING SIGNIFICANT NEW
10 INFORMATION TO THE DOCUMENT AND THEREFORE REQUIRE THE
11 DOCUMENT TO BE RECIRCULATED IN ORDER FOR IT TO BE AN
12 ADEQUATE DOCUMENT FOR ANY CERTIFICATION IN THE FUTURE.

13 I NOW WANT TO JUST HIGHLIGHT -- TOUCH ON THE
14 MAIN ISSUES OF PARTICULAR ENVIRONMENTAL CONCERN. THERE ARE
15 ABOUT EIGHT OR NINE ISSUES THAT I WANT TO HIGHLIGHT --
16 OKAY, THERE ARE 12 ISSUES THAT I WANT TO HIGHLIGHT IN
17 SUMMARY -- AND I'LL BE HAPPY TO TRY TO ANSWER QUESTIONS IF
18 THERE ARE ANY ON THESE ISSUES.

19 THE FIRST IS LAND USE, AND TO ME THAT'S A
20 PRETTY OBVIOUS ONE. I THINK WHEN THIS WAS IDENTIFIED AS A
21 POTENTIAL SITE FOR AGGREGATE MINING, IT MAY HAVE MADE
22 SENSE. IT CLEARLY DOESN'T MAKE SENSE IN OUR MINDS TODAY.
23 THE AMOUNT OF RESIDENTIAL DEVELOPMENT OCCURRING ADJACENT TO
24 THIS SITE MAKES THIS SITE NO LONGER SUITABLE FOR ADJACENT
25 TO RESIDENTIAL COMMUNITIES. I THINK THE RELATIONSHIP FOR
26 THIS USE, THE RESIDENTIAL COMMUNITIES NEARBY, BOTH IN AND
27 OUTSIDE THE CITY, MAKES IT AN INAPPROPRIATE LOCATION.

28 THE SECOND IS THE STATUS OF DIGITAL RESOURCES.

1 THE DRAFT E.I.R. ASSUMES THERE WILL BE NO SIGNIFICANT
2 VISUAL IMPACT WITHOUT PROVIDING A PHOTO SIMULATION
3 ANALYSIS, AND THAT'S A MATTER OF PRACTICE THAT WE PROVIDE
4 IN THE CITY. WE DO A PHOTO ANALYSIS THAT SHOWS BEFORE AND
5 AFTER. GIVEN THE MATERIAL THAT THE APPLICANT PROPOSED IN
6 THEIR MARKETING MATERIAL WHICH SHOWED THE SITE BOTH BEFORE
7 AND AFTER THE AGGREGATE OPERATION, THAT TO ME IS A PRETTY
8 SIGNIFICANT CHOP OFF THE TOP OF THAT HILL, AND IT'S A
9 PRETTY SIGNIFICANT ENVIRONMENTAL AND AESTHETIC IMPACT BOTH
10 FOR PEOPLE TRAVELING ON THE 14 FREEWAY AND RESIDENCES IN
11 THE GENERAL AREA OF THIS SITE. AND WE FEEL THAT THAT'S AN
12 IMPORTANT CONCERN OF OURS.

13 THERE'S ALSO THE ISSUE OF PUBLIC HEALTH AND
14 SAFETY, AND REALLY REGARDS REGULAR USE OF EXPLOSIVES,
15 OPERATION OF LARGE EQUIPMENT, ON-SITE FUEL STORAGE AND
16 MAJOR EARTHMOVING OPERATIONS THROUGHOUT THE 500-ACRE SITE
17 SURE TO INCREASE THE NUMBER OF PUBLIC HAZARDS IN THE AREA.
18 WE DON'T THINK THAT YOU CAN MAKE A FINDING THAT THERE'S NO
19 IMPACT IN THAT AREA.

20 NEXT IS TRAFFIC AND CIRCULATION. THE ADDITION
21 OF HEAVY, OVERSIZED EQUIPMENT AND HAUL TRUCKS ON A MAJOR
22 FREEWAY AND LOCAL ROADS OVER A 20-YEAR PERIOD WILL RESULT
23 IN A SIGNIFICANT ADVERSE IMPACT TO THE COMMUNITY. DAILY
24 OPERATIONS IN PHASE 1 WILL INVOLVE 35 REDI-MIX (INAUDIBLE)
25 TRUCKS, 7 CEMENT FLY-ASH TRUCKS AND 255 AGGREGATE TRUCKS
26 THAT WILL INTERFACE WITH PASSENGER VEHICLES BOTH ON LOCAL
27 STREETS AND THE 14 FREEWAY. AND GIVEN THE SIZE OF THOSE
28 TRUCKS, WE'RE NOT TALKING ABOUT ONE VEHICLE; WE'RE TALKING

1 ABOUT A HUGE TRUCK. A POOL OF AGGREGATE EITHER COMING IN
2 OR OFF THE PROPERTY AND THOSE ADJACENCIES TO OTHER VEHICLES
3 IS PARTICULARLY TROUBLESOME TO US.

4 THE NEXT ISSUE -- AND I CAN TELL YOU ONE OF OUR
5 COMMUNITY MEETINGS THAT WE HELD, WE HAD ALL OF OUR
6 SCIENTISTS AT THE COMMUNITY MEETING, THEY EACH MANNED A
7 TABLE -- AND WE HAD ABOUT 200 PEOPLE AT THAT MEETING. IT
8 WAS THE SECOND ONE WE HELD. THIS GAVE PEOPLE AN
9 OPPORTUNITY TO TALK TO EACH OF OUR SCIENTISTS AND EXPERTS
10 AND GET MORE AND MORE INFORMATION ABOUT THE AREA.

11 AND WE ALSO HAD A COLORED DOT SYSTEM WHERE WE
12 PUT A CHART ON THE WALL, THAT EACH SQUARE OF THE CHART HAD
13 ONE OF THE AREAS OF CONCERN. THERE WERE EIGHT MAJOR AREAS
14 OF CONCERN. AND WE ASKED PEOPLE TO PUT DOTS -- RED, GREEN,
15 YELLOW AND BLUE, RED BEING THE NUMBER ONE CONCERN -- ON THE
16 DOT SO WE COULD HELP UNDERSTAND THE PRIORITIZATION AND THE
17 ISSUES THAT THE COMMUNITY HAD. AND IT WAS CLEAR TO US FROM
18 THAT EXPERIENCE THAT THE AIR QUALITY WAS THE NUMBER ONE
19 ISSUE. RED DOTS WERE THEIR NUMBER ONE CONCERN, AND THERE
20 WERE BY FAR MORE RED DOTS IN THE AIR QUALITY SQUARE THAN
21 ANY OTHER ISSUE. AND I THINK THAT'S A PRETTY IMPORTANT
22 ISSUE FOR US.

23 ONE OF THE MISCONCEPTIONS OF THIS VALLEY, AND
24 THE AIR DISTRICT IS ACTUALLY HOLDING A COMMUNITY MEETING
25 OUT HERE NEXT WEEK TO GIVE THE COMMUNITY THE OPPORTUNITY TO
26 TALK ABOUT AIR QUALITY ISSUES IN THIS VALLEY, IS THAT OUR
27 AIR IS RELATIVELY VISIBLY CLEAN. IT DOESN'T HAVE THE HAZE
28 THAT OTHER PARTS OF THE REGION HAVE, SO PEOPLE THINK IT'S

1 CLEANER WHEN, IN FACT, IT'S NOT BECAUSE IT'S THE OZONE
2 DAMAGE IN THE VALLEY THAT'S MORE DAMAGING, AND THAT'S NOT
3 VISIBLE.

4 SO I WANT TO MAKE IT CLEAR THAT WE HAVE A VERY
5 BIG CONCERN ALREADY THAT THE VALLEY HAS AN AIR QUALITY
6 PROBLEM THAT WE'RE ALREADY TRYING TO DEAL WITH. AND WE
7 THINK THIS PROJECT WILL ADD IN PARTICULAR AN INCREDIBLE
8 AMOUNT OF (INAUDIBLE) PARTICLES IN THE AIR. AND THAT'S A
9 BIG CONCERN OF OURS.

10 THE NEXT ISSUE IS NOISE AND VIBRATION. THE
11 BLASTING AT THIS FACILITY WILL RESULT IN SIGNIFICANT IMPACT
12 TO ADJACENT RESIDENTIAL NEIGHBORHOODS AS WELL AS SENSITIVE
13 RECEPTORS SUCH AS (INAUDIBLE) AND MOBILE HOME AND R.V.
14 PARKS AND SENSITIVE HABITATS IN THE SANTA CLARA RIVER AND
15 THE FOREST. AND WE BELIEVE THAT'S AN ACT THAT CAN'T BE
16 MITIGATED.

17 CULTURAL RESOURCES. IT'S BEEN REPORTED THAT
18 THERE'S A POTENTIAL FOR A FRANCISCAN MISSION ADJACENT TO
19 THIS SITE OUTSIDE THE PROPERTY LINES BUT ADJACENT TO THE
20 SITE. AND WE BELIEVE IT'S IMPORTANT THAT THIS APPLICANT
21 WORK WITH THE AGUA DULCE TOWN COUNCIL TO UNDERSTAND WHAT
22 THAT IS, HOW THIS PROJECT WILL BE IMPACTED, AND ENSURE THAT
23 THIS PROJECT WILL HAVE NO IMPACT ON THAT POTENTIALLY
24 SIGNIFICANT CULTURAL RESOURCE. AND I'M SURE THAT THE TOWN
25 COUNCIL WILL SPEAK ABOUT THAT IN MORE DETAIL.

26 BIOLOGICAL RESOURCES IS THE NEXT ISSUE FOR US.
27 AND WE HAVE SERIOUS CONCERNS FOR IMPACTS OF SENSITIVE
28 WILDLIFE, AND PARTICULARLY THAT WILDLIFE IN THE NATIONAL

1 FOREST AND IN THE SANTA CLARA RIVER. THE INVESTIGATION OF
2 POTENTIAL WILDLIFE LOCATED ON THE SITE WAS DONE IN PART BY
3 A BINOCULAR SURVEY. AND TO ME THAT'S NOT A VERY SCIENTIFIC
4 WAY TO REALLY VERIFY WHAT GROUPS OF SPECIES ARE IN THE AREA
5 AND HOW THIS PROJECT MIGHT IMPACT THAT. AND AT BEST THE
6 E.I.R. WAS INADEQUATE THAT IT DIDN'T DO IT PROPERLY. BUT
7 WE BELIEVE THAT EVEN IF IT DID IT PROPERLY, IT WOULD FIND
8 IMPACT TO BIOLOGICAL RESOURCES, PARTICULARLY IN THE SANTA
9 CLARA RIVER, THAT COULD NOT BE MITIGATED TO A LEVEL OF
10 (INAUDIBLE).

11 I HAVE FOUR MORE ISSUES. THE NEXT ISSUE IS
12 GEOLOGY. MANY ASSUMPTIONS WERE MADE IN THE E.I.R. WITH NO
13 STATED RATIONALE. IT SEEMS TO US THAT WE JUMPED FROM
14 ASSUMPTIONS TO FACTS. THERE WAS NOT A LOT OF INFORMATION
15 TO BACK UP THOSE ASSUMPTIONS REGARDING GEOLOGICAL IMPACT.
16 AND WE BELIEVE THAT AT BEST THE ASSUMPTIONS NEED TO BE
17 EXPLAINED, AND WE NEED TO UNDERSTAND HOW THEY CAME TO THOSE
18 CONCLUSIONS. IT WASN'T VERY CLEAR IN THE DOCUMENT. AND
19 IT'S PART OF OUR OVERALL CONCERN THAT THE DOCUMENT DIDN'T
20 ALLOW ADEQUATE PUBLIC REVIEW AND COMMENT IN AN INDEPENDENT
21 MANNER.

22 THE NEXT ISSUE IS WATER QUALITY AND STORM WATER
23 MANAGEMENT. AND THE CITY IS IN PARTNER WITH THE COUNTY ON
24 A STORM WATER PERMIT, THE M.P.D.E.S. PERMIT, AND WE'RE VERY
25 MUCH A PLAYER IN THIS ISSUE IN THE VALLEY. AND WE BELIEVE
26 THIS IS A STRONG ISSUE THAT'S NOT ADEQUATELY ANALYZED IN
27 THE DOCUMENT. AND WE ARE NOT CONVINCED THAT THIS PROJECT
28 WON'T HAVE RUNOFF IMPACT THAT COULD IMPACT WATER QUALITY

1 AND WATER AVAILABILITY AND (INAUDIBLE) FLOODING IN THE
2 SANTA CLARA RIVER.

3 THE NEXT ISSUE SEEMS A LITTLE BIT MORE
4 ESOTERIC, BUT IT'S AN IMPORTANT ISSUE TO US GIVEN OUR
5 HISTORY, AND THAT'S AN ISSUE OF RECYCLED MATERIAL. AS YOU
6 MIGHT KNOW, THE CITY OF SANTA CLARITA HAS BEEN VERY ACTIVE
7 IN PREVENTING ANY FUTURE URBAN LANDFILLS. WE HAVE TAKEN
8 GREAT PAINS AND SPENT LOTS OF MONEY TO PROHIBIT A LANDFILL
9 IN ELSNER CANYON IN THE SOUTHERN -- JUST OUTSIDE THE CITY
10 ON THE OTHER SIDE OF THE 14. WE WERE SAVED BY LEGISLATION
11 IN WASHINGTON, BUT THAT ISSUE IS STILL ALIVE, AND WE'RE
12 STILL FOLLOWING IT TO MAKE SURE IT'S DEAD ALTOGETHER.

13 BUT ONE OF THE PHILOSOPHICAL ISSUES I WANT TO
14 MAKE HERE IS IF WE'RE EVER GOING TO PREVENT FUTURE URBAN
15 LANDFILLS FROM OCCURRING IN LOS ANGELES COUNTY, OR FOR THAT
16 MATTER OTHER URBAN AREAS OF THE COUNTRY, WE NEED TO CHANGE
17 PEOPLE'S BEHAVIOR. AND WE NEED TO CHANGE PEOPLE'S BEHAVIOR
18 TO USE MORE RECYCLING MATERIALS. AND THE MORE OFTEN AND
19 THE LONGER THAT WE MAKE RAW MATERIALS AVAILABLE -- EASILY
20 AVAILABLE TO THE PUBLIC -- WHETHER IT BE CONSTRUCTION
21 MATERIALS AS IN THE CASE OF THIS PROJECT, OR OTHER RAW
22 MATERIALS, THERE'S NO INCENTIVE FOR PEOPLE TO USE RECYCLED
23 MATERIAL. AND AS LONG AS THAT'S THE CASE, WE'LL NEVER END
24 THE NEED FOR URBAN LANDFILLS.

25 AND THAT'S AN ISSUE THAT WE FEEL VERY STRONGLY
26 ABOUT AND WORKED VERY HARD ACROSS THE STATE IN TRYING TO
27 CHANGE THAT BEHAVIOR. AND WE THINK THIS PROJECT JUST
28 WORSENS THE SITUATION BY MAKING AGGREGATE FOR CONSTRUCTION

1 MATERIALS READILY AVAILABLE RATHER THAN GIVING SOMEBODY
2 SOME INCENTIVE TO USE RECYCLED CONSTRUCTION MATERIAL,
3 PARTICULARLY IN THIS VALLEY.

4 THE LAST ISSUE IS RECREATION AND TRAILS. BOTH
5 THE CITY OF SANTA CLARITA AND THE COUNTY HAVE IDENTIFIED
6 THE SANTA CLARA RIVER AS A REGIONAL TRAIL SYSTEM. AND WE
7 ARE BOTH WORKING VERY HARD TO GROW THIS REGIONAL TRAIL
8 SYSTEM AND CONNECT ALL OF OUR COMMUNITIES. A TRAIL SYSTEM --
9 A RECREATION SYSTEM LIKE A TRAIL SYSTEM IN THE SANTA CLARA
10 RIVER ADJACENT TO THIS PROJECT IS NOT COMPATIBLE WITH THIS
11 PROJECT, AND WE DON'T BELIEVE THIS PROJECT COULD BE
12 DEVELOPED IN A WAY THAT WOULD STILL ALLOW THAT RECREATIONAL
13 USE TO OCCUR IN A REASONABLE MANNER FOR THE PUBLIC. WE
14 THINK PEOPLE THAT ARE USING THAT TRAIL NEED TO HAVE AN
15 ABILITY TO USE THE TRAIL AND ENJOY THE HABITAT WITHOUT THE
16 IMPACTS OF THIS MINING FACILITY DIRECTLY ADJACENT TO THE
17 SANTA CLARA RIVER.

18 AND WITH THAT I'LL CONCLUDE MY COMMENTS. I
19 KNOW THAT THERE'S LOTS OF OTHER FOLKS HERE WHO HAVE MORE
20 DETAILED AND MORE PASSIONATE THINGS TO SAY BECAUSE THEY
21 LIVE RIGHT ADJACENT TO THIS SITE. BUT I CAN TELL YOU
22 CLEARLY, I THINK THE MAYOR SAID IT FIRST: WE ARE VERY
23 CONCERNED ABOUT THIS PROJECT. THE CITY IS PASSIONATE AND
24 IS SPENDING MONEY AND AN INCREDIBLE AMOUNT OF STAFF TIME.
25 I THINK JULIE WILL KNOW HOW MANY TIMES OUR STAFF HAS CALLED
26 HER AND SOUGHT INFORMATION. WE ARE LIVING AND BREATHING
27 THE PROJECT, AND WE WILL FOLLOW IT ALL THE WAY THROUGH THE
28 PROCESS. WE BELIEVE VERY STRONGLY THIS IS NOT THE PLACE

1 FOR THIS. THANK YOU VERY MUCH.

2 MS. CAMPBELL: WOULD THE REPRESENTATIVE FROM AGUA
3 DULCE CIVIC ASSOCIATION COME FORWARD AND THE REPRESENTATIVE
4 FROM AGUA DULCE TOWN COUNCIL.

5 PLEASE STATE YOUR NAME AND ADDRESS FOR THE
6 RECORD.

7 UNIDENTIFIED SPEAKER: YOU MIGHT WANT TO MAYBE FILL
8 OUT THE SHEET AND SIGN IN SO WE DON'T HAVE TO TAKE TIME TO
9 TOP.

3

10 MR. DUZIK: GOOD MORNING, LADIES AND GENTLEMEN. MY
11 NAME IS JAMES L. DUZIK (PHONETIC). I LIVE AT 9303 OLD
12 STAGE ROAD IN AGUA DULCE. I'M A PRESIDENT OF THE AGUA
13 DULCE TOWN COUNCIL WHICH REPRESENTS ABOUT 300,000 PEOPLE
14 WHO LIVE AND VOTE IN AGUA DULCE. I'M ACCOMPANIED BY MRS.
15 DIANE ZURETO (PHONETIC), THE SECRETARY OF THE TOWN COUNCIL
16 WHO WILL SHARE THE DELIVERY OF OUR STATEMENT.

17 WE CAN'T HOPE IN SIX MINUTES TO CONDENSE FIVE
18 MONTHS OF RESEARCH. WE WILL, THOUGH, SUBMIT TO THE
19 COMMISSION A COMPREHENSIVE WRITTEN REPORT WITH AN EXECUTIVE
20 SUMMARY IN MID- TO LATE AUGUST FOR YOUR REVIEW.

21 THE PROPOSED TRANSIT MIX MINING PROJECT LIES
22 WITHIN THE AGUA DULCE TOWN COUNCIL'S AREA OF INFLUENCE, AND
23 ITS IMPACTS ARE IMMEDIATE TO AGUA DULCE RESIDENTS. BEYOND
24 WHAT MR. LAMBERT HAS TOLD YOU IS AN AREA OF MORE CONCERN TO
25 US BECAUSE THE T.M.C. PROJECT IS THE FIRST LARGE-SCALE
26 MINING OPERATION IN WHAT IS A STATE-DESIGNATED MINING AREA.
27 THERE WILL BE OTHER AND LARGER PROJECTS WITHIN THIS
28 DESIGNATED AREA TO MINE SCARCE RESOURCES, AND THESE

1 PROJECTS LIKE T.M.C.'S PROJECT, ARE AND WILL BE WITHIN THE
2 GEOGRAPHIC BOUNDARIES OF OUR COMMUNITY.

3 EACH INDIVIDUAL PROJECT AND COMBINED IMPACT OF
4 ALL THESE PROJECTS WILL AFFECT OUR SCHOOLS AND RESIDENTS.
5 THE AGUA DULCE COMMUNITY IS CONCERNED ABOUT THE POSSIBILITY
6 OF THE T.M.C. PROJECT AS DESCRIBED IN THE T.M.C. E.I.R. AND
7 ANY OTHER MINING PROJECTS LIKE THIS PROJECT. INDUSTRIAL
8 LARGE-SCALE MINING CAN AND WILL AFFECT THE ENVIRONMENT WE
9 LIVE IN, AND IT CAN DIMINISH THE VALUE OF THE INVESTMENT IN
10 OUR HOMES.

11 AN OPINION POLL CONDUCTED BY THE AGUA DULCE
12 TOWN COUNCIL AND THE OVERWHELMING RESPONSE FROM THE AGUA
13 DULCE COMMUNITY HAS BEEN TO REJECT MINING IN THE SOLEDAD
14 CANYON AREA. WE BELIEVE THAT THE T.M.C. PROJECT IS
15 PARTICULARLY SIGNIFICANT BECAUSE IT'S THE BEGINNING OF
16 IMPLEMENTATION OF STATE MINING PLAN THAT DEFINES THE
17 SOLEDAD CANYON AREA AS A SIGNIFICANT SCARCE RESOURCE AREA.
18 THE T.M.C. PARCEL AND CALMAT PARCEL, AN 1,183-ACRE PARCEL
19 ADJACENT TO THE T.M.C. PARCEL, IS GOVERNED BY THAT MINING
20 PLAN WHICH DESCRIBES MINING IN THE SAUGUS/NEWHALL
21 PRODUCTION CONSUMPTION RATIOS. THE CALMAT PARCEL EXTENDS
22 TO 1,000 FEET BEYOND AGUA DULCE CANYON ROAD TO THE EAST.

23 THIS SCARCE RESOURCE AREA WHERE THE MINING PLAN
24 THAT DESCRIBES HOW AGGREGATE WILL BE PRODUCED FOR THE NEXT
25 50 YEARS, ALSO EXTENDS INTO THE SANTA CLARA RIVERBED
26 THROUGHOUT SANTA CLARITA ALL THE WAY TO THE VENTURA COUNTY
27 LINE. RECOGNIZING THIS DESIGNATED MINING AREA IS CRITICAL
28 TO THE ANALYSIS TO THE T.M.C. PROJECT. THE T.M.C. PROJECT

1 IS THE FIRST PROJECT THAT WILL ESTABLISH THE DESIGNATED
2 AREA IN OUR AREA AND WILL INCLUDE ALL OTHER PROJECTS AND
3 INVOLVE ALMOST ALL OF THE SANTA CLARITA VALLEY.

4 ALL PROJECTS WILL FOLLOW THIS T.M.C. PROJECT
5 EXPANDING MINING TO ALL THIS LAND AREA QUICKER THAN YOU MAY
6 REALIZE.

4

7 MS. ZURETO: MY NAME IS DIANE ZURETO. I LIVE AT
8 33450 TRAIL LANDS ROAD, AGUA DULCE 91350.

9 TO CONTINUE: WE BELIEVE THAT THE SCOPE OF
10 MINING BEGUN BY T.M.C. FOLLOWED LATER BY CALMAT MINING
11 ACTIVITY CREATES THE POTENTIAL FOR A MASSIVE, CUMULATIVE
12 IMPACT THAT IS NOT DESCRIBED ACCURATELY IN THE T.M.C.'S
13 E.I.R. OUR RESIDENTS BELIEVE THAT CUMULATIVE ENVIRONMENTAL
14 EFFECTS OF MINING IF NOT ADEQUATELY ADDRESSED, BEGINNING
15 WITH THIS T.M.C. PROJECT, WILL IN TIME OVERWHELM AND
16 DESTROY OUR COMMUNITY. THIS CONCERN IS NOT UNWARRANTED.

17 AS LATE AS TWO WEEKS AGO TOWN COUNCIL
18 CONVERSATION WITH STAFF FROM THE STATE WATER RESOURCES
19 BOARD INDICATED THAT WATER APPROPRIATION PERMITS WERE
20 SUBMITTED RECENTLY BY LOCAL WATER COMPANIES, DEVELOPERS AND
21 CALMAT IN ADDITION TO THE PERMIT ALREADY FILED BY TRANSIT
22 MIX TO APPROPRIATE WATER FROM THE SANTA CLARA RIVER.

23 BECAUSE OF ALL THESE BRIEFS AND APPLICATIONS
24 THAT WERE FILED, IT WAS STATED BY STATE WATER RESOURCES
25 BOARD STAFF THAT TWO HEARINGS WILL BE HELD IN SEPTEMBER.
26 ONE HEARING WOULD ESTABLISH THE STATE WATER RESOURCES
27 BOARD'S JURISDICTION IS AS IT RELATES TO UNDERFLOW OF THE
28 RIVER OR WATER PERCOLATING TO THE RIVER. THE OTHER HEARING

1 WILL EVALUATE TRANSIT MIX'S APPLICATION.

2 NOTING THAT ONE OF THE APPLICATIONS WAS CALMAT,
3 IT SEEMED REASONABLE TO CONSIDER THAT A REQUEST FOR A
4 MINING PERMIT BY CALMAT MIGHT SHORTLY FOLLOW (INAUDIBLE)
5 MULTIPLE MINING OPERATIONS (INAUDIBLE) TO FOCUS ON THE
6 CUMULATIVE EFFECTS OF THE T.M.C. REQUEST FOR A PERMIT TO
7 MINE. AS WE HAVE STATED, THE T.M.C. REQUEST TO MINE IS THE
8 BEGINNING OF A SERIES OF PROPOSALS IMPLEMENTING A MINING
9 PLAN THAT WILL ENCOMPASS AGUA DULCE AND THE ENTIRE MINING
10 AREA DESIGNATED THROUGHOUT THE SANTA CLARA RIVERBED.

11 IT SEEMS TO BE ONLY A QUESTION OF TIME BEFORE
12 THE STATE'S MINING PLAN WILL BE IMPLEMENTED. THE
13 CUMULATIVE EFFECTS OF MINING IN AGUA DULCE APPEAR TO BE AIR
14 QUALITY, TRAFFIC, AVAILABILITY AND QUALITY OF WATER, NOISE
15 AND VIBRATION AND VISUAL IMPACT.

16 THE COMMUNITY ASKS THAT THE VISUAL IMPACT
17 MINING BE NONINVASIVE TO OUR COMMUNITY. OUR RESIDENTS ASK
18 THAT THE REGIONAL PLANNING COMMISSION RESPECT THE
19 INVESTMENT THAT OUR RESIDENTS AND OUR COMMUNITY HAVE MADE
20 IN THE LIFESTYLE THAT THEY HAVE CREATED. WE ASK THAT YOU
21 PROCEED CAUTIOUSLY IN REVIEWING THIS PERMIT. WE ALSO ASK
22 THAT YOU PROCEED WITH A STRONG EMPHASIS ON PROTECTING THE
23 ENVIRONMENT FOR CURRENT AND FUTURE GENERATIONS.

24 ANY OPTION LESS THAN FULL MITIGATION OF ALL
25 ENVIRONMENTAL IMPACTS OF T.M.C.'S REQUEST FOR A PERMIT TO
26 MINE ARE UNACCEPTABLE TO THE RESIDENTS OF AGUA DULCE. THE
27 PROJECT AS DESCRIBED BY THE T.M.C.'S E.I.R. DOES NOT
28 MITIGATE EVEN THE EFFECTS OF THE T.M.C. PROJECT... FURTHER,

1 IMPLICIT CUMULATIVE EFFECTS CREATED BY THE INCEPTION AND
2 IMPLEMENTATION OF THE STATE MINING PLAN TO MINE SCARCE
3 AGGREGATE RESOURCES IS COMPLETELY UNADDRESSED.

4 THE RESIDENTS OF AGUA DULCE URGE THE COMMISSION
5 TO VOTE A NO PROJECT ALTERNATE. THANK YOU.

6 **5** MS. SMITH: GOOD AFTERNOON. MY NAME IS LILLIAN
7 SMITH, AND I AM A RESIDENT OF AGUA DULCE AND A MEMBER OF
8 THE AGUA DULCE CIVIC ASSOCIATION. I AM JOINED IN READING A
9 PREPARED STATEMENT BY CIVIC BOARD MEMBER SUSAN KAPLAN TO MY
10 LEFT AND DONNA SOFLEY (PHONETIC). EACH OF US WILL READ A
11 PORTION, EACH OF WHICH IS APPROXIMATELY THREE MINUTES LONG.

12 THE AGUA DULCE CIVIC ASSOCIATION HAS BEEN
13 REPRESENTING PROPERTY OWNERS SINCE 1957. THE MINING SITE
14 IDENTIFIED FOR THE T.M.C. PROJECT IS, IN FACT, PART OF AGUA
15 DULCE'S SPHERE OF INFLUENCE.

16 A VOTE ON THE MINING ISSUE WAS TAKEN BY THE
17 MEMBERSHIP AT A CIVIC FORUM AND THROUGH THE CIVIC'S
18 NEWSLETTER, RESULTING IN AN ALMOST UNANIMOUS VOTE REJECTING
19 MINING IN THE SOLEDAD CANYON AREA. THE VOTE CONCLUDED THE
20 STATEMENT THAT THE LOS ANGELES COUNTY BOARD OF SUPERVISORS
21 SHOULD NOT ISSUE A STATEMENT OF OVERRIDING CONSIDERATION TO
22 THE T.M.C. PROJECT.

23 AS PROPERTY OWNERS, WE ARE VERY CONCERNED ABOUT
24 THE MANY ENVIRONMENTAL ISSUES ADDRESSED IN THE T.M.C. DRAFT
25 E.I.R. AS WELL AS OTHER DOCUMENTS DEALING WITH THE INITIAL
26 SIGNIFICANT RESOURCE DESIGNATION PROCESS REFERENCED BY JIM
27 DUZIK AND DIANE ZURETO OF THE AGUA DULCE TOWN COUNCIL. A
28 JOINT RESPONSE IS CURRENTLY BEING WRITTEN BY THE AGUA DULCE

1 CIVIC AND THE TOWN COUNCIL PROVIDING FACTUAL DETAIL ON
2 THESE POINTS, WHICH WILL BE SUBMITTED ACCORDING TO THE
3 PLANNING COMMISSION'S TIME LINE.

4 ALTHOUGH AGUA DULCE HAS JUST 450 RESIDENTS, IT
5 WAS THE MIDDLE OF 1980 WHEN THE SIGNIFICANT RESOURCES
6 DESIGNATION PROCESS BEGAN. WE HAVE GROWN TO APPROXIMATELY
7 1,800 HOMES TODAY, A GROSS FACTOR OF 300 PERCENT AND 12
8 PERCENT PER YEAR AVERAGED OVER 25 YEARS. IN AGUA DULCE WE
9 HAVE BUILT HOMES ON PARCELS OF TWO OR MORE ACRES AND
10 COMMITTED TO MORTGAGES OF \$200,000 TO \$500,000. WE HAVE
11 FOUND A HOME HERE WHERE CHILDREN ARE SAFE AND HAVE ROOM TO
12 PLAY. WE (INAUDIBLE) TO PURSUE OUR DREAMS, WHETHER THESE
13 DREAMS ARE FOR OPEN SPACE AS OPPOSED TO THE HIGH-DENSITY
14 CITY LIVING OR FOR INVESTMENTS WHICH WILL PRODUCE INCOME
15 FOR OUR RETIREMENT.

16 WE HAVE INVESTED IN AGUA DULCE; WE ARE NOT
17 MERELY TENANTS ON THE LAND. WE ARE HERE TO STAY, AND WE
18 INTEND TO STAY. THE MORE THAN 3,000 RESIDENTS OF AGUA
19 DULCE ARE HARDWORKING AMERICANS WHO HELP (INAUDIBLE)
20 ECONOMIC LIFE IN AMERICA AND OUR NATION AS A WORLD LEADER.

21 THE CRUX OF THE ISSUE APPEARS TO BE WHETHER TO
22 ALLOW MINING IN THE SOLEDAD CANYON AREA OR TO LOCATE LARGE
23 MINING OPERATIONS 25 MILES FURTHER EAST. THE ADDITIONAL
24 DISTANCE WILL ADD ADDITIONAL COST TO THE PRODUCT FOR THE
25 END USER. HOWEVER, THIS AREA DESIGNATED IN THE
26 SAUGUS/NEWHALL PRODUCTION CONSUMPTION REGION BY THE STATE
27 OF CALIFORNIA AT THE DIRECTION OF THE D.L.M. WOULD NOT ONLY
28 ~~PROVIDE THE DESIRABLE (INAUDIBLE) TIME FOR AGGREGATE~~

1 TRUCKS, BUT ALSO FOR EMPLOYEES (INAUDIBLE) BY BUSINESS FOR
2 THE GREATER LOS ANGELES AREA.

3 6 MS. KAPLAN: SUSAN KAPLAN. MY ADDRESS IS 33264 IN
4 CARL PORT, AGUA DULCE.

5 MS. CAMPBELL: MS. KAPLAN, WHO DO YOU REPRESENT?

6 MS. KAPLAN: OH, I'M SORRY. I AM A MEMBER OF THE
7 AGUA DULCE CIVIC ASSOCIATION BOARD OF DIRECTORS.

8 THIS PROJECT AS WELL AS OTHER PROJECTS IMPLIED
9 BY THE FEDERAL GOVERNMENT DESIGNATION PROCESS WILL REMOVE
10 LAND FROM HOUSING DEVELOPMENTS WHICH ARE CRITICAL TO THIS
11 REGION, DEVELOPMENT FOR WHICH BOTH SHORT-TERM AND LONG-TERM
12 PLANS HAVE ALREADY BEEN MADE.

13 THE LOS ANGELES AREA IS FACING A TEN PERCENT
14 HOUSING SHORTFALL OVER THE NEXT 20 YEARS. THIS SHORTFALL
15 WILL NEGATIVELY IMPACT THE ECONOMY OF THE REGION BECAUSE A
16 SHORTAGE OF HOMES FOR EMPLOYEES WILL INFLUENCE WHETHER NEW
17 COMPANIES LOCATE IN THE LOS ANGELES AREA AND WHETHER
18 EXISTING COMPANIES WILL REMAIN.

19 THE CHOICE YOU MUST MAKE IS NOT ONE OF
20 AGGREGATE AVAILABILITY VERSUS LACK OF AGGREGATE. THE
21 CHOICE BOILS DOWN TO COMPETITIVE ADVANTAGE. IS THE ABILITY
22 OF T.M.C. TO COMPETE IN THE MARKETPLACE WITH LOWER PRICE
23 AGGREGATE MORE IMPORTANT THAN THE L.A. AREA'S ABILITY TO
24 COMPETE IN THE WORLD JOB MARKET? IS IT MORE IMPORTANT THAT
25 AGGREGATE BE PRODUCED CLOSER TO THE GREATER L.A. BASIN OR
26 THAT EMPLOYEES LIVE WITHIN A RATIONAL COMMUTING DISTANCE TO
27 THEIR JOBS?

28 OBSERVATION OF OTHER MINING AREAS, SUCH AS

1 IRWINDALE, AZUSA AND LITTLE ROCK, LEADS TO THE CONCLUSION
2 THAT THIS TYPE OF ACTIVITY HAS A NEGATIVE IMPACT ON THE
3 QUALITY OF LIFE AS WELL AS PROPERTY VALUES. IT IS STATED
4 IN THE D.E.I.R. THAT THEIR IMPACT TO THE T.M.C. PROJECT
5 CANNOT BE MITIGATED. WE BELIEVE THAT THERE ARE MORE WHICH
6 ARE NOT IDENTIFIED.

7 COMBINED WITH THE IMPACT THE FUTURE MINING
8 PROJECTS ON DESIGNATED LAND IN SOLEDAD CANYON, THIS AREA
9 WILL EXPERIENCE POLLUTION OVERLOAD AS WELL AS OTHER
10 ECOLOGICAL DEVASTATION. THE T.M.C. PROJECT IS MERELY THE
11 FIRST BEACHHEAD IN A PLAN TO TURN SOLEDAD CANYON AREA INTO
12 THE NEXT IRWINDALE/AZUSA MINING CENTER FOR ALL OF SOUTHERN
13 CALIFORNIA. MAKE NO MISTAKE: THERE WILL BE OTHER MINING
14 PROJECTS PROPOSED TO THE SOLEDAD CANYON AREA AGAINST WHICH
15 WE WILL BE POWERLESS TO PROTEST IF THE T.M.C. PROJECT IS
16 APPROVED.

17 THE FEDERAL DRAFT ENVIRONMENTAL IMPACT
18 STATEMENT REGARDING DESIGNATION OF REGIONALLY SIGNIFICANT
19 CONSTRUCTION AGGREGATE RESOURCES IN THE SAUGUS/NEWHALL AND
20 PALMDALE PRODUCTION CONSUMPTION REGIONS PUBLISHED IN 1987
21 IDENTIFIED AN AGGREGATE RESOURCE COVERING APPROXIMATELY
22 FOUR SQUARE MILES LYING ON EITHER SIDE OF AGUA DULCE CANYON
23 ROAD AND CONTAINING APPROXIMATELY ONE BILLION, SIX HUNDRED
24 MILLION TONS OF SAND AND GRAVEL. THIS RESOURCE AREA WAS
25 AND IS IDENTIFIED AS SECTOR B OF THE SAUGUS/NEWHALL
26 PRODUCTION CONSUMPTION REGION IN THE ADOPTED B.L.M. PLAN OF
27 1994.

28 A SURFACE MINING AND RECLAMATION PLAN FOR AN

1 AGUA DULCE QUARRY WAS PREPARED AND ISSUED IN SEPTEMBER '91
2 BY CALMAT, NOW OWNED BY VULCAN WHICH IS THE LARGEST
3 PRODUCER OF SAND AND GRAVEL IN THE U.S. AT SOME POINT
4 CALMAT PURCHASED LAND IN THE AREA PROPOSED TO BE MINED
5 UNDER THEIR PLAN IN THE SOLEDAD CANYON AREA. AT THE MOMENT
6 THE CALMAT PROJECT IS INACTIVE, THE B.L.M. HAS STATED THAT
7 THEY HAVE NO PLANS TO SOLICIT BIDS FOR ADDITIONAL MINING
8 PROJECTS ON FEDERAL SLIP ESTATE LAND IN THE REGION.

9 THANK YOU.

7

10 MS. SOFLEY: GOOD AFTERNOON. MY NAME IS DONNA
11 SOFLEY. I'M ALSO WITH THE AGUA DULCE CIVIC ASSOCIATION,
12 AND I AM A MEMBER OF THE CIVIC BOARD.

13 WE HAVE NO DOUBT, HOWEVER, THAT APPROVAL OF THE
14 T.M.C. PROJECT BY LOS ANGELES COUNTY WOULD PROVIDE THE
15 INCENTIVE FOR THE BUREAU OF LAND MANAGEMENT TO OFFER
16 ADDITIONAL MINERAL RESOURCES FOR BID. IT WILL ALSO PROVIDE
17 MOTIVATION FOR CALMAT TO COMPLETE THE ENVIRONMENTAL IMPACT
18 REPORT ON WHICH THEY HAVE BEEN WORKING DILIGENTLY SINCE
19 THEIR MINING PLAN FOR THE AGUA DULCE QUARRY WAS PUBLISHED
20 IN 1991.

21 THEREFORE, LADIES AND GENTLEMEN, YOU MUST
22 EXAMINE THE PROJECT BEFORE YOU IN THE OVERALL CONTEXT OF
23 MULTIPLE MINING PROJECTS WITHIN A FOUR-SQUARE-MILE AREA
24 ENCOMPASSING SOLEDAD CANYON.

25 AN ATTACHMENT ACCOMPANIES A WRITTEN COPY OF THE
26 CIVIC ASSOCIATION'S STATEMENT, WHICH WILL BE SUBMITTED TO
27 THE CLERK. THIS COMPARISON OF THE T.M.C. AND CALMAT
28 PROJECT WILL PROVIDE YOU WITH AN ILLUSTRATION OF THE

1 OVERWHELMING IMPACT OF JUST A SMALL SECTION OF THE B.L.M.'S
2 PLAN FOR THE SOLEDAD CANYON AREA.

3 THE TOTAL PRODUCT TO BE EXTRACTED FROM THESE
4 TWO PROJECTS, 166.6 MILLION TONS, IS A DROP IN THE BUCKET
5 WHEN COMPARED TO THE IDENTIFIED RESOURCE OF ONE BILLION,
6 SIX HUNDRED MILLION TONS. THE CUMULATIVE EFFECT IMPACT ON
7 THE AREA SHOULD THE B.L.M. CONTINUE TO DEVELOP ADDITIONAL
8 MINING PROJECTS IN THIS AREA BEYOND T.M.C. AND CALMAT WILL
9 OVERWHELM THIS AREA FOR 50 YEARS OR MORE. IT WILL TAKE
10 DESIRABLE AREA FOR PEOPLE TO LIVE WHERE PEOPLE HAVE A
11 RATIONAL COMMUTE TO JOBS IN THE L.A. BASIN AND TURN IT INTO
12 AN INDUSTRIAL WASTELAND.

13 BY SELECTING THE SOLEDAD CANYON AREA AS THE
14 NEXT IRWINDALE/AZUSA MINING CAPITAL FOR SOUTHERN
15 CALIFORNIA, THE B.L.M. IS, ONE, DOWN-ZONING THE SURROUNDING
16 AREA; AND TWO, PRECLUDING NEEDED SUITABLE HOUSING IN A
17 VARIETY OF PRICE RANGES WHICH IS NECESSARY TO ATTRACT AND
18 RETAIN JOBS IN THE LOS ANGELES REGION; THREE, IMPACT THE
19 QUALITY OF LIFE IN THE ENTIRE SANTA CLARITA VALLEY; AND
20 FOUR, SNATCH AWAY HOMEOWNER EQUITY PATIENTLY BUILT UP OVER
21 DECADES.

22 WE THE PROPERTY OWNERS OF AGUA DULCE RECOGNIZE
23 OUR RESPONSIBILITY TO CARE FOR THE LAND AND FOR THE
24 ENVIRONMENT. WE ASK YOU TO ENSURE A HEALTHFUL AND LIVABLE
25 ENVIRONMENT FOR US AS WELL AS FOR FUTURE GENERATIONS. WE
26 ASK YOU TO SAY NO TO THE ARROGANT USURPATION OF THIS REGION
27 BY HEAVY-HANDED GOVERNMENT BENT ON DISREGARDING ALL FOR
28 WHICH WE HAVE WORKED SO HARD

1 PLEASE HALT ALL PROPOSED MINING PROJECTS
2 CURRENTLY WITHOUT SURFACE MINING PERMIT ALONG THE SANTA
3 CLARA RIVER TO INCLUDE SOLEDAD CANYON. PLEASE DO NOT
4 RECOMMEND THAT THE BOARD OF SUPERVISORS ISSUE A STATEMENT
5 OF OVERRIDING CONSIDERATIONS FOR THIS OR ANY AGGREGATE
6 MINING PROJECT IN THE SANTA CLARITA VALLEY.

7 THANK YOU FOR YOUR CONSIDERATION.

8

8 MR. BEDA: GOOD EVENING. MY NAME IS ROBERT BEDA
9 (PHONETIC). TOGETHER WITH MY WIFE, LYNN, AND MY
10 MOTHER-IN-LAW, WE LIVE AT 14210 WEST EVERGLADES COURT IN
11 STONECREST.

12 WE ARE REPRESENTING -- MYSELF AND THE NEXT TWO
13 SPEAKERS ARE REPRESENTING THE MAJORITY OF THE STONECREST
14 HOMEOWNERS. STONECREST IS A COMMUNITY OF 378 SINGLE-FAMILY
15 RESIDENCES LOCATED ONE MILE DUE WEST OF THE PROPOSED MINE.
16 WE STAND TO LOSE THE MOST.

17 WE WILL SUFFER THE GREATEST HEALTH AND
18 ENVIRONMENT RISK; OUR QUALITY OF LIFE AND OUR PROPERTY
19 VALUES WILL HAVE THE GREATEST NEGATIVE IMPACT IF THIS
20 PROJECT IS APPROVED. WE BOUGHT OUR HOME IN JANUARY OF
21 1998. OUR PRIMARY REASON WAS THE LOCATION, WAS THE QUIET
22 AREA, THE RELATIVELY CLEAN AIR AND A BEAUTIFUL VIEW. WE
23 LIVE 6,750 FEET FROM THE WEST OF THE MINE.

24 I'M RETIRED DIRECTOR OF ENGINEERING AND DESIGN
25 FOR 35 YEARS (INAUDIBLE), INCLUDING MANY COMPATIBILITY
26 STUDIES, LOTS OF RISK MITIGATION (INAUDIBLE). ACCORDING TO
27 THE E.I.R. INDIVIDUAL -- VISUAL AND AIR POLLUTION IMPACT
28 CANNOT BE MITIGATED, AND THE NEGATIVE IMPACT REMAINS.

1 SIGNIFICANT. THERE IS NO COMPATIBILITY BETWEEN LAND USAGE --
2 LAND USAGE BETWEEN MINING AND NEARBY RESIDENTIAL LIVING.

3 THIS MINE PROPOSAL HAS BEEN IN THE PLANS FOR
4 TEN YEARS. AS LATE AS JANUARY 1998 WHEN WE BOUGHT OUR
5 HOME AND SIGNED ESCROW PAPERS, NO PUBLIC DATA WAS PROVIDED.
6 ACCORDING TO OUR DEVELOPER, PACIFIC BAY, THEY HAD NO
7 KNOWLEDGE OF THE PROJECT. THIS IS SUBSTANTIATED IN
8 TESTIMONY PRESENTED TO THE COMMISSION THIS PAST APRIL BY
9 THE OWNERS OF RIVER'S END -- THEY ARE ONLY 500 FEET FROM
10 THE PROJECT AND HAD NO INFORMATION UNTIL APRIL OF THIS
11 YEAR.

12 ACCORDING TO T.M.C. TESTIMONY BEFORE THIS
13 COMMISSION, ALL NEARBY PROPERTY OWNERS WERE NOTIFIED. I
14 WOULD LIKE TO SEE T.M.C.'S DEFINITION OF "NEARBY." THE
15 DICTIONARY DEFINITION ALSO INCLUDES A SPHERE OF INFLUENCE.
16 I WOULD LIKE TO SEE PROOF THAT THE NOTIFICATION WAS BOTH
17 PROVIDED AND RECEIVED. BOTH SIDES CANNOT BE BASHFUL.

18 AT THE L.A. PLANNING MEETING IN APRIL, ONE OF
19 THE COMMISSIONERS SAID, AND I QUOTE, "IT IS THE PRIMARY
20 RESPONSIBILITY OF THIS COMMISSION TO ENSURE COMPATIBILITY
21 OF LAND USE." AGAIN, THERE IS NO EVIDENCE OF COMPATIBILITY
22 OF LAND USE BETWEEN THE MINE AND RESIDENTIAL LIVING. POINT
23 OF FACT, THEY ARE TOTALLY INCOMPATIBLE.

24 (INAUDIBLE) ADDITIONAL PROJECT PLANNED FOR THE
25 AREA WITH SOME 900 ADDITIONAL FAMILY UNITS GOING IN, 200 AT
26 STONECREST, 500 IN NEW PROJECTS EVEN CLOSER TO THE MINE,
27 PLUS 200 IN (INAUDIBLE) CANYON. HEAVY MINING WITH ITS
28 INHERENT HEALTH HAZARDS, AIR POLLUTION, NOISE, TRAFFIC, ARE

1 NOT COMPATIBLE WITH RESIDENTIAL QUALITY OF LIFE. THIS
2 PROJECT DOES NOT CONSTITUTE COMPATIBLE LAND USAGE, AND A NO
3 MINE ALTERNATIVE VOTE IS THEREFORE EPICALLY MANDATORY. OUR
4 FUTURES AND OUR QUALITY OF LIFE ARE IN YOUR HANDS.

5 THANK YOU FOR YOUR TIME AND CONSIDERATION.

6 **9** MS. RIGGINS: I'M KATHY RIGGINS, AND I LIVE AT 29230
7 NORTH SEQUOIA ROAD IN STONECREST.

8 THIS IS THE VIEW FROM MY BACKYARD. IT'S WHAT I
9 CALL MY MOUNTAIN, THE ONES T.M.C. WANTS TO CUT DOWN.
10 VISUAL IMPACT ARE SIGNIFICANT IF THE CHARACTER (INAUDIBLE).
11 T.M.C. STATES THAT MINING OPERATION, QUOTE, "WILL DEGRADE
12 THE OVERALL CHARACTER OF THE IMMEDIATE AREA." SENSITIVITY
13 TO DEGRADATION OF CHARACTER, TAKING SOMETHING NATURAL AND
14 BEAUTIFUL AND TURNING IT INTO THE UNNATURAL, IS A PUBLIC
15 CONCERN IN MAINTAINING SCENIC QUALITY.

16 T.M.C. STATES, QUOTE, "SENSITIVITY TO THE SITE
17 IS HIGH, AND A NEGATIVE IMPRESSION WOULD RESULT IN A
18 SIGNIFICANT ADVERSE IMPACT." THEY PROPOSE TO CUT MY
19 MOUNTAIN BY 200 FEET CONSTITUTING MINING ON BOTH THE NORTH
20 AND SOUTH SLOPES. THEY WILL DUMP THEIR (INAUDIBLE) ON MY
21 SIDE OF THE MOUNTAIN TURNING THE NATURAL, RUGGED TERRAIN
22 INTO AN UGLY, MAN-MADE SLOPE. FOR THIS THEY SAY THERE IS,
23 QUOTE, "NO MITIGATION AVAILABLE." THIS IS NOT ACCEPTABLE.

24 ACCORDING TO T.M.C., ALMOST ALL (INAUDIBLE) ARE
25 TRAVELING THE ANTELOPE VALLEY FREEWAY. THAT IS
26 (INAUDIBLE). THERE ARE NEARLY 1,400 RESIDENTS (INAUDIBLE).
27 WE LOOK OUT AT OUR MOUNTAIN DAILY; WE SIT IN OUR BACKYARDS

28 AND WATCH THE SHADOWS OF THE SUN AND THE RAINBOWS CAST

1 THEIR SPELL. IT CAN BE MAGIC. THIS AREA IS A STUDY GROUP
2 AND SCENIC HIGHWAY DESIGNATION. T.M.C. SAYS RIDGELINE
3 SHOULD BE PRESERVED, BUT THEY ALSO (INAUDIBLE).

4 T.M.C. WILL NOT RESOIL THE SITE. HOW DOES
5 BLASTING UP TO FOUR TIMES A WEEK, DIGGING 80,000 POUNDS OF
6 (INAUDIBLE), TRUCKS DRIVING ON THE MOUNTAIN NOT AFFECT THE
7 SOIL? THE E.I.R. IS TOTALLY INADEQUATE. IT COMPARES THE
8 LAND TODAY WITH WHAT T.M.C. SAYS IT WILL LOOK LIKE IN 20
9 YEARS. THEY MUST EXPLAIN WHAT WE WILL SEE, HOW LONG WE
10 WILL SEE IT BY SECTIONS OVER THOSE 20 YEARS OF BLASTING AND
11 DUMPING, AND THEY MUST BE HELD ACCOUNTABLE. T.M.C. IGNORED
12 STONECREST IN ALL POINTS OF THE E.I.R., SO I WISH TO ADD
13 OUR VISTA TO THEIR CONCLUSION IN UNAVOIDABLE SIGNIFICANT
14 ADVERSE IMPACT.

15 T.M.C. STATES FOR ALL THE (INAUDIBLE) AFTER
16 MITIGATION, QUOTE, "SIGNIFICANT IMPACT. NO EFFECTIVE
17 MITIGATION. SIGNIFICANT IMPACT. MINING CUTS WILL BE
18 VISIBLE. CHANGES WILL BE A PERMANENT PART OF THE
19 LANDSCAPE." THEIR FINAL SENTENCE ON VISUAL IMPACT IS,
20 QUOTE, "THE IMPACT WILL REMAIN SIGNIFICANT."

21 THIS IS UNACCEPTABLE TO ME AND TO STONECREST
22 RESIDENTS. WE MOVED HERE FOR MANY DIFFERENT REASONS, BUT
23 WE SHARE ONE COMMON VISION: THAT VIEW OF OUR MOUNTAIN IN
24 ITS NATURAL STATE. IF THEY DON'T CONSIDER THE MOUNTAIN A
25 DOMINANT VIEW-SHARED FEATURE, WE DO. IT IS THE MOUNTAIN
26 OUTSIDE OUR WINDOWS AND BACKDOORS AND IS THE GATEWAY TO
27 STONECREST. THEY DON'T HAVE THE RIGHT TO TAKE THAT
28 GATEWAY -- IT'S PART OF OUR QUALITY OF LIFE -- BLAST IT,

1 DIG IT, CUT IT OR DUMP ON IT.

2 THIS IS A TIME FOR YOU TO GIVE RESIDENTS
3 PRIORITY IN WHAT'S HAPPENING IN AND AROUND OUR COMMUNITY.
4 THANK YOU.

5 MS. CAMPBELL: WOULD THE REPRESENTATIVES OF PINETREE
6 COMMUNITY/CANYON COUNTRY BEAUTIFICATION COMMITTEE START TO
7 COME FORWARD, PLEASE.

8 **10** MR. FILANGILO: I'M BILL FILANGILO (PHONETIC), 14411
9 WEST CATSKILLS COURT. I'M A RESIDENT OF STONECREST
10 COMMUNITY.

11 THANK YOU FOR SCHEDULING THIS PUBLIC HEARING.
12 WHILE WE RECOGNIZE THAT THIS IS NOT THE FORUM FOR DEBATE
13 OVER FAST OR SLOW GROWTH IN THE SANTA CLARITA VALLEY, THAT
14 ISSUE IS FUNDAMENTAL TO THE PERMITTING DECISION BEFORE
15 YOU. THE MASSIVE CONSTRUCTION PROJECT BEING CONSIDERED FOR
16 SANTA CLARITA, OFTEN IN THE FACE OF STRONG OPPOSITION BY
17 LOCAL RESIDENTS, REQUIRE RAW MATERIALS ON A LARGE SCALE.

18 T.M.C. HAS REPEATEDLY POINTED TO THE INCREASING
19 DEMAND FOR AGGREGATE IN SANTA CLARITA AS JUSTIFICATION FOR
20 THIS PROJECT. MY QUESTIONS THEN ARE THESE: TO WHAT EXTENT
21 DO THE RIGHTS OF DEVELOPERS OUTWEIGH THE QUALITY OF LIFE
22 VALUES OF THE CURRENT RESIDENTS, AND WHAT DUTY DOES THE
23 PLANNING COMMISSION OWE EITHER GROUP?

24 MANY OF US WERE DRAWN TO THE SANTA CLARITA AREA
25 FOR ITS RURAL AND OPEN COUNTRY FEEL. AS THE MOUNTAINS ARE
26 CARVED AWAY FOR NEW TRACTS AND THE VALLEY FLOOR BECOMES
27 MORE AND MORE CONGESTED, MANY OLDER RESIDENTS HAVE BEEN
28 FORCED TO MODIFY THESE VALUES. AFTER ALL, THIS IS A

1 RESIDENTIAL COMMUNITY THAT IS IN HIGH DEMAND.

2 TWO OF THE TOPICS FROM THE DRAFT E.I.R. THAT I
3 FEEL ARE DOWNPLAYED ARE INSUFFICIENT CONCERN LAND USE AND
4 TRAFFIC. DAILY TRANSPORTATION OF MATERIALS FROM THE
5 PROPOSED PROJECT SITE AND ONTO THE ANTELOPE VALLEY FREEWAY
6 AT THE SOLEDAD CANYON ONRAMP WOULD CREATE AN ONGOING SAFETY
7 HAZARD FOR MOTORISTS ON THE FREEWAY TRAVELING AT FULL SPEED
8 THROUGH THAT LOCATION AS LOADED TRUCKS STRUGGLE UPHILL TO
9 GAIN ACCESS TO LANES.

10 MORE THAN 750 PROPOSED TRUCK TRIPS PER DAY WILL
11 CREATE A TRAFFIC NIGHTMARE DURING PEAK-USE HOURS. THE
12 NOISE AND VIBRATIONS FROM THESE TRUCKS OPERATING AS EARLY
13 AS 5:00 A.M., SEVEN DAYS A WEEK, WILL BE SIGNIFICANT FOR
14 RESIDENTS ADJACENT TO SOLEDAD CANYON AND THE FREEWAY.

15 BECAUSE T.M.C. HAS FAILED TO DISCUSS DELIVERY
16 ROUTES, WE CAN ONLY GUESS AT OTHER IMPACTED AREAS IN SANTA
17 CLARITA. THE DRAFT E.I.R. FAILS TO ADDRESS THESE
18 SITE-SPECIFIC ISSUES.

19 SECOND, SURFACE MINING AND RESIDENTIAL
20 DEVELOPMENTS ARE IN DIRECT CONFLICT AS LAND-USE OPTIONS.
21 AS A RESIDENTIAL COMMUNITY THAT IS IN HIGH DEMAND,
22 DEVELOPMENT IN THE EASTERN SEGMENT OF SANTA CLARITA VALLEY
23 HAS BEEN ESPECIALLY STRONG OVER THE LAST SEVERAL YEARS.
24 RESIDENTIAL TRACTS ALONG THE CITY'S EASTERN BOUNDARY AND
25 DEVELOPMENT OF STONECREST COMMUNITY IMMEDIATELY EAST OF THE
26 CITY'S EDGE SHOWS STRONG RESIDENTIAL GROWTH TOWARDS THE
27 PROJECT SITE. FURTHER PLANNED RESIDENTIAL EXPANSION OF
28 STONECREST, RIO DULCE AND VEE CANYON ARE IMMEDIATELY

1 ADJACENT TO THE PROJECT SITE.

2 THE DRAFT E.I.R. DOES NOT RECOGNIZE ANY
3 LAND-USE CONFLICTS CITING AS EVIDENCE APPROPRIATE ZONING
4 AND ITS COMPATIBILITY WITH OTHER MINING PROJECTS IN THE
5 AREA. THE OUTDATED AND INAPPROPRIATE ZONING OF THIS ENTIRE
6 AREA NOW POPULATED WITH HOMES MUST BE REEVALUATED. IF
7 APPROVED THE VERY EXISTENCE OF THE HUGE T.M.C. PROJECT
8 WOULD THEN SUPPORT THE ARGUMENT FOR FUTURE SURFACE MINING
9 PROJECTS NOW IN THE PLANNING STAGES, THAT THERE IS INDEED
10 AN INDUSTRIAL TREND IN THIS AREA.

11 I HOPE YOU FEEL AS WE DO, THAT THE DUTY IS OWED
12 TO EXISTING AND FUTURE RESIDENTS TO PROTECT THIS RURAL
13 RESIDENTIAL COMMUNITY FROM UNREASONABLE INDUSTRIAL
14 DEVELOPMENT. THANK YOU.

15 **11** MR. DUNN: GOOD AFTERNOON. MY NAME IS ED DUNN, AND I
16 LIVE AT --

17 MS. CAMPBELL: PLEASE REPEAT YOUR NAME.

18 MR. DUNN: ED DUNN, D-U-N-N.

19 MS. CAMPBELL: THANK YOU.

20 MR. DUNN: AND I LIVE AT 15414 RHODODENDRON IN CANYON
21 COUNTRY, AND I'M A 30-YEAR RESIDENT OF CANYON COUNTRY. I'M
22 ELECTED DIRECTOR OF THE LOCAL CASTAIC LAKE WATER AGENCY,
23 WHICH IS THE LOCAL STATE WATER SUPPLIER, AND FORMER ELECTED
24 DIRECTOR OF THE NEWHALL COUNTY WATER DISTRICT.

25 BUT TODAY I'M SPEAKING TO YOU AS AN INDIVIDUAL,
26 TAXPAYER AND RATE PAYER AND A CONCERNED CITIZEN ABOUT THE
27 WATER SUPPLY. I ASK WHERE WILL T.M.C. GET THEIR WATER?

28 MS. CAMPBELL: ARE YOU SPEAKING FOR STONECREST?

1 COMMUNITY?

2 MR. DUNN: I'M SPEAKING FOR PINETREE.

3 MS. CAMPBELL: OH, PINETREE?

4 MR. DUNN: RESIDENT OF PINETREE. I GUESS I DIDN'T
5 TELL YOU THAT WHEN I SAID RHODODENDRON.

6 MS. CAMPBELL: YOU HAVE A LONG RESUME THAT'S VERY
7 IMPRESSIVE. CAN WE GET TO THE POINT ON THIS?

8 MR. DUNN: SURE. I AM CONCERNED ABOUT THE WATER
9 SUPPLY FOR THE T.M.C. BECAUSE THERE ARE NO PIPES OR
10 FACILITIES AT ALL AT T.M.C. AT THE PRESENT TIME. WE ONLY
11 ASSUME THEY INTEND TO DRILL WELLS AND WITHDRAW FROM THE
12 RIVER LUVIAM (PHONETIC). AND THE RIVER LUVIAM IS ABOUT
13 MAXED OUT AT THE PRESENT TIME. PLUS THE FACT THAT IN THE
14 DROUGHT OF '91 THE RIVER LUVIAM DRIED UP, THE WELLS DRIED
15 UP.

16 SO YOU SAY WHERE DO WE GET THE WATER? WELL, IT
17 SHOULD COME FROM THE STATE WATER CONTRACTOR. THAT'S THE
18 OTHER PROBLEM. THE STATE WATER CONTRACTOR'S WATER IS NOT
19 RELIABLE. DURING THE DROUGHT OF 1991, THE STATE SAID,
20 WELL, IF YOUR ENTITLEMENT IS 54,000, WHICH IT WAS AT THE
21 TIME, WE'RE ONLY GOING TO ALLOW YOU TEN PERCENT. SO THAT'S
22 5,000 ACRE FEET. THAT WILL SUPPLY 5,000 HOMES.

23 NOW THE CASTAIC LAKE WATER AGENCY HAS INCREASED
24 THEIR ENTITLEMENT TO 100,000, SO NOW WE'RE AT 10,000
25 HOMES. BUT IN ADDITION TO THE DROUGHT INTERRUPTING THE
26 WATER SUPPLY -- BECAUSE DURING THE LAST DROUGHT IT
27 INTERRUPTED IT FOR ABOUT SIX MONTHS, NO WATER WHATSOEVER
28 FROM THE STATE -- IN ADDITION TO THAT THE WATER TRAVELS 555

1 MILES IN THIS AQUEDUCT, AND THE AQUEDUCT HAS FAILED
2 NUMEROUS TIMES. IT'S HISTORICAL THAT IT HAS.

3 MS. CAMPBELL: WELL, WHEN THERE'S A DROUGHT, THE
4 STATE DOESN'T SUPPLY ANY WATER AT ALL?

5 MR. DUNN: WHEN THE WATER BECOMES SHORT LIKE IT DID
6 IN THE LAST DROUGHT, THEY DID NOT SUPPLY ANY -- WHAT THEY
7 DID IS IN APRIL THEY MADE THE DECISION HOW MUCH EVERYONE
8 WAS GOING TO GET, AND THEY SAID TEN PERCENT. THEY SAID
9 YOU'VE ALREADY RECEIVED 5,000, SO YOU RECEIVED YOUR TEN
10 PERCENT OF YOUR ENTITLEMENT.

11 AND WE HAVE TO BE CAREFUL. I'D LIKE TO
12 STRONGLY CAUTION THE PLANNING COMMISSION AND ALSO THE BOARD
13 OF SUPERVISORS THAT OFTENTIMES THE CAREER PROFESSIONALS IN
14 WATER LIKE TO QUOTE THAT THEIR WATER SUPPLY IS THE
15 ENTITLEMENT NUMBER, AND IT'S NOT. AND SO YOU HAVE TO LOOK
16 AT WET WATER, NOT DRY WATER. SO I GUESS MY TIME IS UP.

17 MS. CAMPBELL: NOW, WHAT'S A FORM OF DRY WATER?

18 MR. DUNN: WELL, DRY WATER IS THAT WATER ON PAPER
19 THAT SAYS YOU HAVE 100,000 ACRE-FEET, BUT YOU MAY GET TEN
20 PERCENT.

21 MS. CAMPBELL: I GOT IT.

22 MR. DUNN: AND TEN PERCENT OF ZERO IS ZERO.

23 MS. CAMPBELL: THESE APPLAUSE ARE EATING UP THE TIME.
24 THOSE APPLAUSE ARE LIKE DRY WATER.

25 **12** MS. BURKE: GOOD AFTERNOON, COMMISSIONER. MY NAME IS
26 LINDA BURKE. I LIVE AT 29039 SAM PLACE IN CANYON COUNTRY
27 AREA OF SANTA CLARITA.

28 IN THE INTEREST OF TIME I'VE BEEN ASKED TO

1 SPEAK ON BEHALF OF TWO GROUPS: THE 7,223 RESIDENTS OF THE
2 PINETREE COMMUNITY, OF WHICH I'M A RESIDENT AND AS
3 CHAIRPERSON OF THE CANYON COUNTRY GENERAL BEAUTIFICATION
4 COMMITTEE. I AM REPRESENTING THE CONCERNS OF OUR 60-MEMBER
5 ORGANIZATION WHICH IS DEDICATED TO PRESERVING AND IMPROVING
6 THE CANYON COUNTRY AREA ON BEHALF OF ALL OF ITS RESIDENTS.

7 WHILE PRESERVATION OF OUR LOCAL MOUNTAINS,
8 RIDGELINES AND THE RIVER IS A PRIMARY FOCUS FOR THE GENERAL
9 BEAUTIFICATION COMMITTEE, WE ALONG WITH THE RESIDENTS OF
10 PINETREE ARE FAR MORE CONCERNED WITH PRESERVING OUR
11 GREATEST AND MOST PRECIOUS RESOURCE, OUR CHILDREN.

12 WE ARE DEEPLY DISTURBED BY THE POTENTIAL HEALTH
13 RISKS THE TRANSIT MIX PROJECT REPRESENTS FOR SANTA CLARITA,
14 AND ESPECIALLY THE CANYON COUNTRY AREA. AIRBORNE
15 PARTICULATES, DISLODGED FUNGAL SPORES, INDUSTRIAL POLLUTION
16 AND DIESEL EXHAUST WILL BE SIGNIFICANTLY ELEVATED, WE
17 BELIEVE, TO INTOLERABLE AND DANGEROUS LEVELS.

18 IN THE CANYON COUNTRY AREA ALONE WE CURRENTLY
19 HAVE 30 SCHOOLS SERVING CHILDREN AGES 2 THROUGH 18. OUR
20 PUBLIC AND PRIVATE SCHOOLS, INCLUDING PRESCHOOL,
21 ELEMENTARY, MIDDLE AND HIGH SCHOOL, EDUCATE OVER 14,000
22 STUDENTS.

23 THAT'S MORE THAN 14,000 STUDENTS AT SCHOOLS
24 LOCATED WITHIN CANYON COUNTRY THAT WILL BE WITHIN TWO TO
25 EIGHT MILES OF THE PROPOSED MINING SITE WHO YOU WOULD BE
26 EXPOSING TO SIGNIFICANT HEALTH RISKS FIVE DAYS A WEEK WHILE
27 THEY PLAY AND EXERCISE OUTSIDE ON THEIR SCHOOL CAMPUSES
28 SHOULD YOU CHOOSE TO APPROVE THIS APPLICATION.

THE DANGERS OF GREATEST CONCERN TO US ARE THOSE
LINKED DIRECTLY TO RESPIRATORY DISEASES, SPECIFICALLY THE
CHRONIC CONDITIONS OF HISTOPLASMOSIS, ALSO KNOWN AS VALLEY
FEVER, SILICOSIS AND ASTHMA. TIME DOES NOT PERMIT ME TO
GIVE YOU DETAILS ON THESE DISEASES, HOWEVER, THE CENTERS
FOR DISEASE CONTROL RECOMMEND AVOIDING CONTACT WITH FUNGAL
SPORES AND CRYSTALLINE SILICA AS THE PRIMARY LINE OF
DEFENSE.

IF THAT IS NOT POSSIBLE, THE RECOMMENDATION IS
TO MINIMIZE EXPOSURE TO DUST AND SPORES BY USE OF
RESPIRATORY PROTECTIVE MASKS, PROTECTIVE GLOVES AND
FREQUENT CLOTHING CHANGES. OBVIOUSLY EXPOSURE EVEN IN
SMALL AMOUNTS CAN STILL CAUSE HARM TO THE HUMAN BODY AND
SHOULD BE GUARDED AGAINST. EQUALLY OBVIOUS IS THE FACT
THAT WE CANNOT SEND OUR CHILDREN TO SCHOOL IN PROTECTIVE
GEAR.

GIVEN THE HIGHLY ACTIVE WINDS IN OUR AREA, THE
SPREAD OF DISEASE-PRODUCING PARTICULATES FROM THIS PROJECT
WOULD BE RAPID AND UNAVOIDABLE. NO AMOUNT OF MITIGATION
COULD ADEQUATELY CONTAIN THESE FACTORS, AND THIS FACT IS
NOT EVEN RAISED IN THE E.I.R.

ADDITIONALLY, WATER SUPPLY TO THE PINETREE AREA
HAS LONG BEEN A CONCERN. WE ARE TROUBLED BY THE POSSIBLE
CONTAMINATION AND MISUSE OF LOCAL GROUND WATER. MINERALS
FOUND AT THE SITE SUCH AS ALUMINUM AND ZINC COULD EASILY BE
INTRODUCED INTO OUR GROUNDWATER. MEDICAL STUDIES IN
AUSTRALIA STRONGLY SUGGEST THAT EXCESSIVE ALUMINUM AND ZINC
ARE LINKED TO ALZHEIMER'S DISEASE.

1 LASTLY I'D LIKE TO POINT TO THE EXTREMELY POOR
2 TRACK RECORD ON PUBLIC HEALTH AND ENVIRONMENTAL PROTECTION
3 OF TRANSIT MIX'S PARENT COMPANY, SOUTHBOUND CORPORATION.
4 THE PINETREE COMMUNITY AND THE CANYON COUNTRY
5 BEAUTIFICATION COMMITTEE GIVE A RESOUNDING TWO THUMBS DOWN
6 TO THIS PROJECT.

7 MS. CAMPBELL: WOULD MEMBERS OF ACTON COMMUNITY
8 PLEASE COME FORWARD.

9 **13** MS. HARPER: HELLO. MY NAME IS (INAUDIBLE) HARPER.

10 I AM A MEMBER OF BOTH THE CANYON COUNTRY GENERAL
11 BEAUTIFICATION COMMITTEE AND THE PUBLIC SAFETY LAW
12 ENFORCEMENT COMMITTEE.

13 I PURCHASED MY HOME IN THE CANYON COUNTRY AREA
14 SIX YEARS AGO. I MOVED HERE FROM THE SAN FERNANDO VALLEY,
15 WHERE I GREW UP, FOR SIMPLE REASONS. MY PRINCIPAL REASONS
16 FOR MOVING HERE WERE TO LEAVE BEHIND HORRENDOUS TRAFFIC
17 CONGESTION, INCREASED CRIME LEVELS, POLLUTED AIR, EXCESSIVE
18 NOISE FROM AIRPLANES AND MANUFACTURING PLANTS, AND OTHER
19 QUALITY OF LIFE ISSUES.

20 AT THE TIME I PURCHASED MY HOME, NO MENTION WAS
21 MADE OF THE POSSIBILITY OF A MINING COMPANY EXPANDING ITS
22 OPERATION IN THIS VALLEY. THIS EXPANSION, IF ALLOWED TO GO
23 THROUGH, WILL HAVE A DETRIMENTAL EFFECT ON THE ENTIRE SANTA
24 CLARITA VALLEY, BUT CANYON COUNTRY WOULD TAKE THE BRUNT DUE
25 TO THE CLOSE PROXIMITY OF THE PROJECT SITE.

26 THE INCREASED TRAFFIC WHICH WOULD RESULT FROM
27 AN ADDITIONAL 574 TRUCK TRIPS IN PHASE 1 AND 1,224 TRUCK
28 TRIPS PHASE 2 OPERATING 24 HOURS A DAY WILL ONLY SERVE TO

1 COMPOUND AN ALREADY DIFFICULT TRAFFIC SITUATION. WHO WILL
2 PAY FOR THE INCREASED DETERIORATION OF OUR SURFACE STREETS
3 AND FREEWAYS BY THE CONSTANT HEAVY TRAFFIC GENERATED BY THE
4 VEHICLES USED IN THE MINING OPERATIONS? HOW WILL OUR
5 COMMUNITY DEAL WITH THE LONGER COMMUTE TIME AND HIGHER
6 INCIDENTS OF ROAD RAGE WHEN ACCIDENTS AND SPILLS OCCUR?
7 AND THEY WILL.

8 WHO WILL PAY FOR THE ADDITIONAL MEDICAL
9 FACILITIES NEEDED AND RELATED COSTS TO TREAT RESPIRATORY
10 PROBLEMS SUCH AS ASTHMA AND PULMONARY SILICOSIS, AN
11 INCURABLE LUNG DISEASE. WHAT ABOUT VALLEY FEVER AND HANTA
12 VIRUS AND WHATEVER ELSE MIGHT BE RELEASED INTO THE
13 ATMOSPHERE? WHO PAYS FOR INCREASED LUNG CANCERS CAUSED BY
14 THE CONSTANT EXPOSURE TO INCREASED AIR POLLUTION AND DUST
15 PARTICULATES IN THE ATMOSPHERE? WHAT ABOUT THE HUMAN
16 SUFFERING AND DIMINISHED PROPERTY ASPECTS CREATED BY THIS
17 PROJECT?

18 PLEASE CONSIDER THE NEGATIVE EFFECTS OF THE
19 INCREASED NOISE AND POLLUTION AND THE POTENTIAL SEISMIC
20 HAZARDS CREATED BY BLASTING EVENTS OF TWICE PER WEEK PHASE
21 1, FOUR TIMES PHASE 2. THESE EVENTS CANNOT BE MITIGATED
22 SATISFACTORILY.

23 THE E.I.R. DOES NOT PROPERLY ADDRESS THE
24 ENVIRONMENTAL ISSUES OR THE PROXIMITY OF HOMES, SCHOOLS AND
25 RECREATIONAL AREAS TO THE PROJECT SITE. IT ALSO DOES NOT
26 PROPERLY ADDRESS ENDANGERED SPECIES, WATER AND RIVER IMPACT
27 ISSUES. WHAT HAPPENS WHEN WE HAVE SUDDEN DOWNPOURS THAT
28 WASH POLLUTANTS INTO THE RIVER? THE ENTIRE PROJECT SITE

1 (INAUDIBLE). HOW CAN THEY MITIGATE OUR WINDY CANYON
2 CONDITIONS?

3 THIS PROJECT EXPANSION SHOULD BE DENIED.
4 PLEASE DON'T DO THIS TO US. THANK YOU.

5 MS. CAMPBELL: ARE THERE ANY REPRESENTATIVES FROM THE
6 ACTON COMMUNITY THAT WANTED TO SPEAK?

7 UNIDENTIFIED SPEAKER: APPARENTLY THEY'RE NOT HERE.

8 MS. CAMPBELL: THEY'RE NOT HERE. OKAY.

9 THEN RIVERS END R.V. PARK REPRESENTATIVES,
10 WOULD YOU PLEASE COME FORWARD?

11 UNIDENTIFIED SPEAKER: DON'T THINK THEY'RE HERE.

12 MS. CAMPBELL: ALSO, THERE ARE SOME SEATS UP FRONT
13 FOR THOSE OF YOU THAT ARE STANDING IN THE BACK. THERE SEEM
14 TO BE A FEW UP THIS WAY.

15 OKAY, LET'S MOVE ON, THEN, TO THE SAND CANYON
16 HOMEOWNERS ASSOCIATION. ARE THERE REPRESENTATIVES OF SAND
17 CANYON HOMEOWNERS THAT WOULD LIKE TO COME FORWARD?

18 SAFE ACTIONS FOR THE ENVIRONMENT.
19 REPRESENTATIVES FROM SAFE ACTIONS FOR THE ENVIRONMENT?

20 OKAY. SANTA CLARITA ORGANIZATION FOR THE
21 PRESERVATION OF THE ENVIRONMENT, S.C.O.P.E. WOULD
22 S.C.O.P.E. LIKE -- (INAUDIBLE). WE'LL COME BACK. WE'LL
23 COME BACK.

24 OKAY, SAFE ACTIONS IS COMING FORWARD? SAFE
25 ACTIONS IS GOING TO BE NOW. WE'LL GET BACK TO THE ONES WHO
26 WERE OVERLOOKED.

27 **14** MS. DE MOTT: GOOD EVENING. THANK YOU FOR ALLOWING
28 ~~ME THIS TIME TO SPEAK. MY NAME IS KAROLYN DE MOTT. I LIVE~~

1 AT 33819 AGUA DULCE CANYON ROAD IN AGUA DULCE. THIS IS MY
2 DAUGHTER KATELYN. WE LIVE ABOUT THREE MILES FROM THE
3 MINING SITE -- PROPOSED MINING SITE. I'M ALSO REPRESENTING
4 S.A.F.E. FIRST LET ME STATE I'M FOR A NO PROJECT
5 ALTERNATIVE.

6 AS A MOTHER OF A YOUNG CHILD, THE IMPACT THIS
7 WILL HAVE ON THE QUALITY OF THE AIR THAT SHE BREATHES EVERY
8 TIME SHE GOES OUTSIDE TO PLAY IS JUST GOING TO BE HAZARDOUS
9 TO HER. THIS IS MY WHOLE REASON FOR LIVING IS THIS CHILD
10 RIGHT HERE.

11 THE TRAFFIC SAFETY IS ALSO GOING TO BE GREATLY
12 IMPACTED. THIS MEANS TO ME EVERY TIME I PUT HER IN THE CAR
13 TO DRIVE OUT SOMEWHERE TO GO SOMEWHERE, WE'RE GOING TO BE
14 FACING MASSIVE AMOUNTS OF HEAVY-DUTY TRUCKS. MY CAR WEIGHS
15 5,000 POUNDS; THESE TRUCKS COULD WEIGH 60,000 POUNDS OR
16 MORE.

17 THE WATER THAT SHE DRINKS EACH DAY IS SUPPLIED
18 TO US BY OUR WELL WHICH IS FED TO US BY THE AQUIFER. THE
19 PROPOSED WATER USAGE OF THIS PROJECT WILL NOT ONLY DEplete
20 THIS WATER SUPPLY, BUT I'M AFRAID THE RUNOFF WILL
21 CONTAMINATE IT AND IN TURN BE CONSUMED BY MY FAMILY.

22 I'M SURE THE CONCERNS THAT I'M GOING TO RAISE
23 THIS EVENING ARE GOING TO BE ECHOED MANY, MANY TIMES OVER
24 BY MOST PEOPLE WHO HAVE BETTER SPEAKING EXPERIENCE THAN I
25 DO. BASICALLY, I'D LIKE TO SUBMIT MY STUFF TO YOU IN
26 WRITING, AND I HAVE.

27 MY BIGGEST CONCERN IS JUST VOTE NO PROJECT
28 ~~ALTERNATIVE FOR THE SAKE OF HER -- TURN AROUND KATIE -- BUT~~

1 FOR THE ENTIRE COMMUNITY OF SANTA CLARITA, AGUA DULCE,
2 ACTON, PEOPLE IN PALMDALE. IT'S GOING TO AFFECT
3 EVERYBODY. AND FOR THE CHILDREN MOST OF ALL.

4 THANK YOU, AGAIN.

5 MS. CAMPBELL: THANK YOU.

6 MS. LAMPTON: THANK YOU SO MUCH FOR COMING TODAY.

7 MS. CAMPBELL: THANK YOU.

8 MS. LAMPTON: BETTER THAN GOING DOWNTOWN.

9 MS. CAMPBELL: (INAUDIBLE.)

10 **15** MS. LAMPTON: MY NAME IS TANA LAMPTON, 22 YEAR
11 RESIDENT OF AGUA DULCE AND ABOUT THAT LONG ON THE CIVIC
12 ASSOCIATION AND CHARTER MEMBER OF S.A.F.E., AND WE HAVE
13 JUST INCORPORATED SAFE ACTIONS FOR THE ENVIRONMENT.

14 MICHELLE JOHNSON, WHO IS ON OUR -- ALSO A
15 CHARTER MEMBER AND HER FAMILY IS A MEMBER OF THE INDUSTRY
16 OF FILMING, GOT HUNG UP IN TRAFFIC. SHE ASKED ME TO READ
17 THIS:

18 LADIES AND GENTLEMEN OF THE REGIONAL PLANNING
19 BOARD. FILMING, AN INDUSTRY OF PARAMOUNT IMPORTANCE TO
20 SOUTHERN CALIFORNIA, HAS NOTICEABLY BEEN LEAVING THE STATE
21 IN THE LAST FEW YEARS. THAT HAS HAD AN ALARMING IMPACT ON
22 THE LOCAL ECONOMY. FILMING HAS BEEN GOING ON IN THE AGUA
23 DULCE AREA SINCE 1905, GIVING IT AN HISTORIC VALUE AS WELL
24 AS AN ECONOMIC IMPORTANCE.

25 BECAUSE THE PROPONENT'S DRAFT E.I.R. ADMITS
26 THAT FUGITIVE DUST CANNOT BE MITIGATED AND THAT THERE WOULD
27 BE 24-HOUR OPERATIONS WITH ACCOMPANYING NOISE AND LIGHTING,
28 ~~THE EFFECTS ON FILMING WOULD BE DRAMATIC. THE IMMEDIATE~~

1 AREA WITH ITS PRESENT LOW AMBIENT NOISE, LIGHT AND CLEAR
2 AIR LENDS ITSELF TO PERFECT CONDITIONS FOR FILMING. A
3 PROJECT OF THIS MAGNITUDE COULD BE ONE OF THE DEATH KNELLS
4 FOR ONE OF SOUTHERN CALIFORNIA'S PRIME LOCATION AREAS FOR
5 ONE OF CALIFORNIA'S MOST PREMIER INDUSTRIES.

6 PERHAPS WE SHOULD TRY TO CONTACT SOME OF THE
7 MAJOR PRODUCERS AND FILM COMPANY OWNERS TO PROMOTE AN
8 INTEREST IN ENLARGING THE INDUSTRY IN THIS AREA AND CHANGE
9 THE PLANS FROM NIGHTMARE TO DREAM WORKS. AND I SEE THAT
10 MICHELLE HAS CC'D MR. STEVEN SPIELBERG.

11 AND THIS IS MY PRESENTATION: TO THE HONORABLE
12 REGIONAL PLANNERS. IN THE HIGHEST LAW OF OUR LAND, THE
13 CONSTITUTION, THE PREAMBLE STATES THAT WE THE PEOPLE OF THE
14 UNITED STATES ARE ENSURED DOMESTIC TRANQUILITY. THIS
15 PROJECT BY ITS VERY NATURE CAN DO NOTHING BUT SHATTER THE
16 TRANQUIL FABRIC OF OUR HOMES AND HOUSEHOLD AFFAIRS.
17 AMERICAN'S MOST IMPORTANT PRIORITIES ARE THEIR HOMES, THEIR
18 LIFESTYLES AND WHERE THEY LIVE.

19 THERE ARE OVER 1,700 FAMILIES IN AGUA DULCE,
20 3,500 IN ACTON, ROUGHLY 1,000 IN SAND CANYON, AND OVER
21 3,000 ALONG SIERRA HIGHWAY AND IN THE STONECREST AND
22 PINETREE DEVELOPMENTS, ALL RESIDING IMMEDIATELY ADJACENT TO
23 OR WITHIN THREE TO SIX MILES OF THIS PROJECT. WITH THIS
24 10,000 OR SO PEOPLE ARE POSSIBLY ANOTHER 10 TO 15,000 FOLKS
25 WITHIN SIGHT, SOUND, TRAFFIC AND DUST INHALATION OF THE
26 MINING PROPOSAL.

27 THE PROPERTY VALUES FOR ALL THESE FOLKS WILL
28 ~~TAKE AN IRREPARABLE NEGATIVE IMPACT. IT GOES WITHOUT~~

1 SAYING THAT THE TAX REVENUE WILL ALSO TAKE A TREMENDOUS
2 HIT. S.A.F.E. ORGANIZATION HAS AS ONE OF ITS MANDATES A
3 COMMITTEE WHICH WILL INVESTIGATE IN DEPTH THE DEMOGRAPHICS
4 AND POPULATION OF THE AFOREMENTIONED AREAS AND THE DOLLAR
5 FIGURES FOR THE IMPACTS WHICH MAY OCCUR.

6 ROUGHLY SPEAKING FOR NOW, WE CALCULATE 10,000
7 HOMES WITH A MEDIAN PRICE OF \$300,000 PAYING AN AVERAGE OF
8 ONE AND A QUARTER PERCENT PROPERTY TAX. YOU WILL SEE THAT
9 THIS IS OVER 37 MILLION BUCKS A YEAR TIMES 20 YEARS. CAN
10 THE COUNTY REALLY AFFORD TO TAKE THAT LARGE A BITE IN
11 POSSIBLE LOSS IN IRRETRIEVABLE DOLLARS? WILL THE COUNTY BE
12 RESPONSIBLE FOR THE LOSS OF NEIGHBORING DOMESTIC
13 TRANQUILITY?

14 THEY HAVE ALLOWED A LARGE PERCENTAGE OF THESE
15 10,000 RESIDENCES BE BUILT IN THE LAST TEN YEARS, AND THAT
16 BUILDING PROCESS CAN SURELY BE CALLED INCOMPATIBLE LAND
17 USE. THANK YOU.

18 **16** MR. NICHOLS: MY NAME IS BRIAN NICHOLS AND I WANTED
19 TO -- AND I'M 10 YEARS OLD.

20 MS. CAMPBELL: WERE YOU SWORN IN, BRIAN? DID YOU
21 RAISE YOUR RIGHT HAND?

22 MR. NICHOLS: UH-HUH.

23 MS. CAMPBELL: OKAY. YOU MAY PROCEED.

24 MR. NICHOLS: MY NAME IS BRIAN NICHOLS, AND I'M 10
25 YEARS OLD. MY P.O. IS 968, ACTON, CALIFORNIA.

26 I WANT TO SHOW YOU WHAT HAPPENED TO MY DADDY.

27 MS. CAMPBELL: WHY DON'T YOU GO AHEAD AND TELL US
28 ~~BECAUSE WE REALLY CAN'T SEE IT FROM HERE.~~

1 MR. NICHOLS: HE WAS HIT BY THE SAND AND GRAVEL
2 TRUCK. HE WAS LUCKY TO SURVIVE, AND I WORRY THAT OTHER
3 PEOPLE MAY GET HIT AND NOT BE SO LUCKY. IT TOOK MY DAD
4 YEARS TO GET BETTER. PLEASE THINK ABOUT THE FAMILIES IN
5 SMALLER CARS AND THE USE OF THE TRAIN IF YOU ALLOW THEM TO
6 MINE.

7 THANK YOU FOR LISTENING.

8 MS. CAMPBELL: ARE YOU FROM RIVERS END?

9 UNIDENTIFIED SPEAKER: NO, I'M FROM SAFE ACTIONS FOR
10 THE ENVIRONMENT.

11 UNIDENTIFIED SPEAKER: WE'VE HAD THREE SPEAKERS FOR
12 THAT ORGANIZATION. WE'VE HAD THREE PEOPLE ALREADY SPEAK
13 FOR S.A.F.E., AND THAT'S THE LIMIT OF THE NUMBER OF
14 SPEAKERS PER ORGANIZATION.

15 MS. CAMPBELL: DO YOU HAVE ANOTHER ORGANIZATION YOU
16 CAN TELL US ABOUT?

17 UNIDENTIFIED SPEAKER: WHY DON'T WE GO TO THE END AND
18 SEE IF WE CAN READDRESS THE COUNCIL.

19 MS. CAMPBELL: SO RIVERS END R.V. PARK. RIGHT?

20 **17** MR. COLSKI: MY NAME IS CHRIS COLSKI (PHONETIC), AND
21 I'M THE PRESIDENT OF THE POLISH CENTER IN LOS ANGELES WHO
22 IS THE OWNER AND OPERATOR OF RIVERS END PARK. WE HAVE BEEN
23 THERE FOR APPROXIMATELY 30 YEARS. WE ARE A NONPROFIT
24 ORGANIZATION THAT SERVES THE COMMUNITY. WE ALSO SERVE THE
25 LOCAL COMMUNITY. WE HAVE RECREATIONAL FACILITIES AND R.V.
26 TRAILER PARK.

27 WE ARE IN VERY CLOSE PROXIMITY TO THE PROPOSED
28 ~~PROJECT. AND I THINK ALL THE NEGATIVE IMPACTS HAVE BEEN~~

1 ADEQUATELY DESCRIBED HERE FOR THE COMMUNITY AS A WHOLE.
2 BUT WE BEING ONLY 500 FEET AWAY, WE REALLY WOULD BE
3 IMPACTED.

4 AND I THINK THERE'S PLENTY OF REASONS NOT TO
5 APPROVE THIS PROJECT. HOWEVER, SHOULD IT BE APPROVED, I
6 THINK THAT CERTAIN THINGS SHOULD BE DONE TO PROTECT US.
7 FOR ONE, NOISE FROM THE TRUCKS AND FROM THE BLASTING. ON
8 SOLEDAD CANYON ROAD, I THINK AT LEAST A BLOCK SOUND WALL
9 SHOULD BE PUT UP ON THE SOUTH SIDE OF THE ROAD ADJACENT TO
10 OUR PROPERTY TO PROTECT US FROM THE NOISE.

11 THE OTHER THING THAT I BELIEVE SHOULD BE DONE
12 IS BECAUSE OF THE WATER DEPLETION AND THE POLLUTION
13 POSSIBILITIES, THAT T.M.C. CONSTRUCT A DAM IN THE RIVER TO
14 MAKE SURE THAT THE WATER LEVEL IS SUSTAINED SO THAT WE HAVE
15 OUR IRRIGATIONAL WATER AND ALSO THE WATER FOR THE FISH,
16 STICKLEBACK FISH THAT LIVES THERE. SO I BELIEVE THAT
17 PUTTING UP A DAM AND MONITORING THE WATER LEVEL SO THAT IT
18 DOESN'T DROP BELOW, AND IF IT DOES DROP BELOW, FOR THEM TO
19 CURTAIL THE WATER USAGE.

20 AND THE OTHER THING I BELIEVE THEY SHOULD DO IS
21 TO PUT UP A FRONT OR A BOND IN THE AMOUNT OF FIVE OR TEN
22 MILLION DOLLARS IN CASE THERE ARE DAMAGES CAUSED BY THE
23 PROJECT OR ECONOMIC HARDSHIP THAT COULD BE TAPPED INTO TO
24 HELP OUT.

25 MS. CAMPBELL: THANK YOU.

26 MS. VARGO?

27 MS. VARGO: I HAVE ONE QUESTION, SIR, THAT I WOULD
28 LIKE YOU TO CLARIFY. IS THIS A PUBLIC RECREATIONAL

1 FACILITY, RIVERS END?

2 MR. COLSKI: IT IS OPEN TO THE PUBLIC, YES.

3 MS. VARGO: THANK YOU.

4 **18**

MR. KOLASINSKI: MY NAME IS AL KOLASINSKI

5 (PHONETIC). I'M REPRESENTING THE SAME ORGANIZATION IN THE
6 SAME PARK. I'VE BEEN INVOLVED THERE FOR 30 YEARS. I WAS
7 IN THERE WITH THE ORIGINAL VOLUNTEERS FOR THE --

8 MS. CAMPBELL: DID YOU GUYS COME TOGETHER?

9 MR. KOLASINSKI: YES. WE DROVE SEPARATELY, BUT WE
10 CAME TOGETHER.

11 MS. CAMPBELL: NO, I MEANT HE TESTIFIED FOR 30
12 YEARS. OKAY, THAT'S ALL RIGHT.

13 MR. KOLASINSKI: ANYWAY, I THINK THE POINT I'M TRYING
14 TO MAKE HERE, I THINK, IS THAT THE MEMBERS OF ALL THE
15 COMMUNITIES HERE HAVE LISTED AN INCREDIBLE AMOUNT OF
16 IMPACTS, AND I'M SURE THE COMMITTEE IS QUITE AWARE OF
17 THIS.

18 THE ONLY THING THAT BOTHERS ME IS THAT WE ARE
19 RIGHT BELOW IN -- IT'S AN OASIS. THE PARK, IF YOU HAVE NOT
20 SEEN IT, IT'S A GREEN OASIS RIGHT AT THE ENTRANCE TO THE
21 SAND CANYON. AND WE'RE RIGHT BELOW THE HIGHWAY.

22 NOW, MY QUESTION EVEN WITH WHAT CHRIS TOLD YOU
23 ABOUT WALLS AND OTHER THINGS, THERE ARE KIDS, PEOPLE IN
24 TRAILERS, CAMPERS COMING DURING THE SUMMER. WE HAVE
25 PICNICS WHICH LAST INTO THE NIGHT. VARIOUS ETHNIC GROUPS
26 COME DOWN THERE AND HAVE THEIR CELEBRATIONS.

27 HOW DO YOU KEEP OZONE, NITROUS OXIDES AND ALL
28 ~~THE OTHER STUFF THAT DRIFTS DOWNWARD HEAVIER THAN THE~~

1 NORMAL AIR FROM TRUCKS WHICH GO BY RIGHT NEXT TO IT ONE A
2 MINUTE, 24 HOURS A DAY EVENTUALLY?

3 THIS JUST BOGGLES MY MIND, AND IT MAKES MY HAIR
4 STAND ON END JUST TO THINK ABOUT THIS. SO I DON'T THINK I
5 HAVE MUCH MORE TO SAY, BUT -- THAT'S ENOUGH I THINK. I
6 MEAN I JUST WANT TO MAKE MY CONCERNS KNOWN TO YOU.

7 MS. CAMPBELL: THAT'S A GOOD WAY TO END. YOU DID A
8 GREAT JOB. THANK YOU SO MUCH.

9 SANTA CLARITA ORGANIZATION FOR THE PRESERVATION
10 OF THE ENVIRONMENT, S.C.O.P.E. I THINK I SAW MS. PLANBECK,
11 LYNNE?

12 UNIDENTIFIED SPEAKER: WHAT ABOUT SAND CANYON
13 HOMEOWNERS?

14 MS. CAMPBELL: WELL, I'M SORRY. SAND CANYON
15 HOMEOWNERS JUST DIDN'T COME FORWARD EARLIER.

16 UNIDENTIFIED SPEAKER: WE STOOD UP AND WALKED UP TO
17 WAIT.

18 MS. CAMPBELL: OKAY, THAT'S ALL RIGHT. THERE DOESN'T
19 HAVE TO BE A RIOT. JUST A SECOND. YOU'LL BE UP NEXT.
20 I'LL GET RIGHT TO YOU.

21 MR. KOTCH: WELL, GOOD AFTERNOON, COMMISSIONERS. I
22 ALSO WANT TO EXPRESS MY THANKS THAT YOU COULD MAKE IT OUT
23 HERE WITH US.

24 MS. CAMPBELL: NAME AND ADDRESS, PLEASE?

25 **19**

MR. KOTCH: MY NAME IS MICHAEL KOTCH, K-O-T-C-H.

26 I'M -- I'VE GOT A LONG RESUME, TOO. I'M DIRECTOR FOR THE
27 NEWHALL COUNTY WATER DISTRICT WHICH HAS WELLS IN THE
28 PINETREE AREA. I'M A DIRECTOR ON THE CASTAIC LAKE WATER

1 AGENCY, AND WE'LL BE MEETING LATER ON THIS EVENING FOR A
2 LITTLE BIT MORE DUTY FOR ME.

3 MS. CAMPBELL: WHAT CAN YOU DO ABOUT THAT WATER
4 ISSUE? CAN YOU GET US SOME MORE?

5 MR. KOTCH: YEAH.

6 MS. CAMPBELL: OKAY.

7 MR. KOTCH: AND I'M ALSO PRESIDENT OF S.C.O.P.E,
8 SANTA CLARITA ORGANIZATION FOR PLANNING THE ENVIRONMENT.

9 I HAVE TWO WATER CONCERNS, AND I'LL BE BRIEF:
10 ONE OF THEM IS WATER QUANTITY, AND THE OTHER IS WATER
11 QUALITY.

12 NOW, AS FAR AS WATER QUANTITY GOES, WE'RE
13 LOOKING AT ADOPTING A NEW 80 MILLION DOLLAR SPENDING PLAN
14 FOR THE IMPORTER, CASTAIC LAKE WATER AGENCY, BUT THERE'S NO
15 PLAN IN THAT NEW FUNDING TO PROVIDE ANY SERVICE TO THIS
16 AREA. SO THE IMPORTER IS NOT GOING TO PROVIDE THE WATER.
17 IT'S GOING TO HAVE TO COME LOCALLY.

18 AND I'VE BEEN TOLD BY MY GENERAL MANAGER ON THE
19 NEWHALL COUNTY WATER DISTRICT THAT WE'RE MAXED OUT OVER
20 THERE ON OUR WELLS. THE AQUIFER WON'T PRODUCE ANY MORE.
21 AND ANY ADDITIONAL BUILDING THAT TAKES PLACE IS GOING TO
22 HAVE TO COME FROM IMPORTED WATER. SO WE'RE IN KIND OF A
23 QUANDARY IN THIS AREA OF TOWN AS FAR AS THE WATER QUANTITY
24 NUMBERS ARE CONCERNED. THAT'S A GREAT CONCERN FOR US
25 BECAUSE WE'VE GOT A LOT OF EXISTING RESIDENTIAL USAGE THAT
26 HAVE TO BE SERVED.

27 ON THE WATER QUALITY ISSUE THERE WOULD BE A LOT
28 ~~OF WAYS IN WHICH THE LOCAL GROUNDWATER QUALITY COULD BE~~

1 AFFECTED. WE'RE LOOKING AT POSSIBLE PROBLEMS WITH
2 SULCATION AND PERCOLATION INTO THE GROUNDWATER BASIN.
3 WE'RE LOOKING AT THE POSSIBILITY, AS WAS MENTIONED EARLIER,
4 AS FAR AS ZINC AND ALUMINUM. THERE'S ALSO A RISK THAT
5 ARSENIC COULD BE EXPOSED IN THE EXTRACTION OF THE
6 AGGREGATE. AND HOW DOES THE SURFACE RUNOFF GET FILTERED?
7 HOW DOES IT GET MONITORED? DO WE KNOW IF WE HAVE A PROBLEM
8 OR NOT?

9 SO THOSE ARE THE ISSUES OF CONCERN THAT I HAVE.

10 MS. CAMPBELL: THANK YOU.

11 20

12 MS. PLANBECK: MY NAME IS LYNNE PLANBECK. I'M THE
13 VICE PRESIDENT OF S.C.O.P.E., AND I WAS ASKED TO JUST SPEAK
14 TO YOU A LITTLE BIT ABOUT APPROPRIATIVE RIGHTS IN THAT AREA
15 OF THE RIVER, THE REASON BEING THAT, AS YOU KNOW, WE'RE AN
16 ORGANIZATION THAT'S BEEN AROUND FOR ABOUT 12 YEARS. AND
17 THERE HAVE BEEN SEVERAL APPLICATIONS FOR APPROPRIATIVE
18 RIGHTS FOR WATER IN THAT AREA OF THE RIVER.

19 THE STATE WATER RESOURCES BOARD HAS NOT
20 APPROVED ANY OF THEM. THEY'VE CONTESTED THEM ALL BECAUSE
21 OF OUR CONCERNS OVER THE SURVIVABILITY OF (INAUDIBLE) SPINE
22 STICKLEBACK, OUR ENDANGERED SPECIES IN THAT END OF THE
23 RIVER AND THE SPINE FLOWER IF WATER IS WITHDRAWN IN GREATER
24 AMOUNT THAN IT IS ALREADY.

25 I WOULD JUST LIKE TO BRING TO YOUR ATTENTION
26 THAT THE WATER BUDGET AND THE WATER FIGURES IN THIS E.I.R.
27 SEEM TO BE BASED ON A HYDROLOGICAL REPORT PRODUCED BY
28 WESTERN TECHNOLOGIES IN 1989. THAT WAS TEN YEARS AGO.
29 WE'VE HAD CONSIDERABLE BUILDING UP THERE--ALL WATER

1 AGENCIES HAVE HAD TO PUMP MORE WATER TO PROVIDE FOR THAT
2 BUILDING, WHICH YOU ALL HAVE APPROVED, AND THE RIVER JUST
3 WON'T TAKE ANY MORE.

4 AN APPROPRIATIVE RIGHT IS BASED ON THE IDEA
5 THAT THE RIVER IS A SUBTERRANEAN STREAM, NOT AN AQUIFER.
6 AND THIS COMPANY, ALONG WITH THREE OR FOUR OTHERS, HAVE
7 BEEN ARGUING THAT TECHNICALITY FOR MANY YEARS WITHOUT
8 SUCCESS BEFORE THE STATE WATER RESOURCES CONTROL BOARD.
9 AND I DON'T THINK THEY'RE GOING TO HAVE ANY SUCCESS. SO
10 THERE'S NOT A WAY THAT THEY'RE GOING TO GET THEIR 500-ACRE
11 FEET THAT THEY NEED .

12 THE COUNTY HAS A DEVELOPMENT MONITORING SYSTEM
13 THAT SAYS THAT YOU HAVE TO HAVE WATER FOR A PROJECT BEFORE
14 IT'S APPROVED. AND THEY DON'T HAVE WATER. IT'S JUST
15 OBLIGATORY THAT YOU DON'T APPROVE THE PROJECT. THANK YOU.

16 MS. CAMPBELL: COMMISSIONER VARGO POINTED OUT THE
17 WATER'S ON PAPER, ISN'T IT?

18 MS. PLANBECK: I'M SORRY, WHAT?

19 MS. CAMPBELL: THEY HAVE PAPER WATER?

20 MS. PLANBECK: I DON'T THINK THEY EVEN HAVE PAPER
21 WATER BECAUSE THEY HAVEN'T HAD THE APPROPRIATIVE RIGHTS
22 APPROVED, AND THEY'RE SAYING THAT THEY HAVE REPAIRING
23 RIGHTS. BUT REPAIRING RIGHTS ONLY APPLY IF THE RIVER IS
24 FOUND TO BE AN UNDERGROUND STREAM, AND THAT'S NEVER BEEN
25 FOUND TO BE AN UNDERGROUND STREAM.

26 MS. CAMPBELL: IT'S LIKE A BED, HUH?

27 MS. PLANBECK: WELL, THEY WOULD LIKE TO REDEFINE THE
28 ~~LUVIAM TO NOT BE AN AQUIFER, TO BE AN UNDERGROUND STREAM.~~

1 AND THEY HAVE NOT HAD ANY SUCCESS WITH THAT IN THE LAST TEN
2 YEARS; NO ONE HAS. SO WE DON'T THINK THEY WILL EITHER.

3 MS. CAMPBELL: OKAY. THANK YOU VERY MUCH.

4 SAND CANYON HOMEOWNERS ASSOCIATION. YOU KNOW,
5 THAT APPLAUSE REALLY THROWS ME OFF. BUT IT'S OKAY.

6 **21** MR. HAUSER: MY NAME IS DAVE HAUSER. I LIVE AT 15555
7 BRONCO DRIVE IN SAND CANYON IN CANYON COUNTRY, CALIFORNIA.
8 I'M A MEMBER OF THE BOARD OF THE SAND CANYON HOMEOWNERS
9 ASSOCIATION, AND I'M ALSO ON THE SAND CANYON TRAILS
10 COMMITTEE.

11 AND I'D LIKE TO FIRST THANK ALL THOSE WHO SPOKE
12 BEFORE WHO SO ELOQUENTLY SPOKE TO THE NEGATIVITY OF THIS
13 PROJECT. THEY COVERED IT VERY WELL, AND I'M JUST DELIGHTED
14 THAT EVERYBODY HAS SPOKEN UP.

15 I'D LIKE TO TAKE YOU JUST A LITTLE CLOSER TO
16 HOME WITH OUR GROUP. WE HAVE THE SAME PROBLEMS THAT OTHERS
17 DO WITH WATER AS IT COMES DOWN THE RIVER. AND MANY OF THE
18 PEOPLE IN OUR CANYON GET THEIR WATER FROM WATER COMPANIES,
19 BUT MANY OF THE PEOPLE IN OUR CANYON LIVE OFF OF WELLS AS
20 FAR UP INTO THE CANYON, AS FAR DOWN AS THE RIVER'S EDGE.

21 WE ARE EXTREMELY CONCERNED THAT IF INDEED THE
22 PROJECT DRILLS FOR WELLS AND REMOVES WATER FROM THE
23 (INAUDIBLE), THAT ALL THESE WELLS ARE GOING TO GO DRY.
24 IT'S HAPPENED IN THE PAST WITHOUT THE PROJECT; IT CERTAINLY
25 WILL HAPPEN WITH THE PROJECT.

26 WE'RE ALSO CONCERNED THAT WHEN THE RAINY SEASON
27 DOES COME AND THERE'S AN ABUNDANCE OF WATER, THAT THERE'S
28 ~~GOING TO BE A GREAT DEAL OF RUNOFF FROM THIS PROJECT THAT~~

1 WILL BE GOING INTO THE RIVER THAT CAN POSSIBLY POLLUTE
2 THOSE WELLS. WE DON'T HAVE ENOUGH INFORMATION ON THIS
3 PROJECT TO TELL US WHETHER THEY'RE GOING TO POLLUTE WELLS,
4 WHETHER WE'LL HAVE WATER, EITHER ONE. IT'S JUST NOT
5 THERE.

6 AND THIRDLY WITH THE WATER, WE JUST DON'T KNOW
7 WHAT'S GOING TO RUN OFF OF THE PROJECT, HOW MUCH THERE'S
8 GOING TO BE, AND WE'RE GOING TO BE BATTLING THE FLOOD
9 CONDITIONS. THE SANTA CLARA RIVER 15 YEARS AGO, I'M GOING
10 TO SAY, WENT THROUGH AND TOOK THE BRIDGE OUT, BASICALLY
11 CLOSED THE CANYON. THE BRIDGE HAS BEEN REBUILT AND IT DOES
12 A WONDERFUL JOB, BUT THOSE PEOPLE ALONG LOST CANYON ARE
13 RIGHT UP AGAINST THE RIVER. AND IF THERE'S -- INDEED
14 THERE'S AN EXORBITANT AMOUNT OF WATER COMING OFF THIS
15 PROJECT, THEY'RE GOING TO LOSE BACKYARDS AND THEY'RE GOING
16 TO HAVE FLOODED HOMES. I DON'T THINK THAT HAD BEEN
17 ADDRESSED AT ALL. IT NEEDS TO BE.

18 AND LAST BUT NOT LEAST IS -- I'LL BE LAST BUT
19 NOT LEAST IN ONE MINUTE REMAINING. I'D LIKE TO ADDRESS AS
20 A MEMBER OF THE TRAILS COMMITTEE, THE CITY OF SANTA CLARITA
21 HAS DONE A WONDERFUL JOB OF BUILDING MULTIPURPOSE TRAILS
22 CONNECTING THE COMMUNITY. AND ALL OF US IN SAND CANYON ARE
23 WORKING VERY HARD TO MAKE THOSE TRAILS WORK WITH THE FOREST
24 SERVICE THROUGHOUT OUR COMMUNITY AND THROUGHOUT THE CITY.

25 THE PROJECT AS IT'S PROPOSED IS JUST NOT
26 COMPATIBLE WITH THE COUNTY'S TRAIL PLAN GOING THROUGH THERE
27 AND ADVANCING THOSE TRAILS. IT'S A SHAME TO RUIN THE RURAL
28 ~~FLAVOR THAT WE HAVE BY NOT LETTING THAT HAPPEN.~~

1 SO SPEAKING ON BEHALF OF ALL OF US IN THE
2 CANYON, I THINK THE DRAFT ENVIRONMENTAL IMPACT REPORT DOES
3 NOT ADEQUATELY ADDRESS THE CHANGES IN THE COMMUNITY OR THE
4 IMPACT ON ITS RESIDENTS. AND WE OPPOSE THE PROJECT AND
5 REQUEST THAT YOU DENY THE PERMIT. THANK YOU.

6 **22** MR. FLECK: GOOD AFTERNOON. MY NAME IS ROBERT FLECK,
7 AND ALSO I'M DIRECTOR OF THE SAND CANYON HOMEOWNERS
8 ASSOCIATION.

9 SOON AFTER THE SUBJECT T.M.C. E.I.R BECAME
10 AVAILABLE TO OUR GROUP'S BOARD OF DIRECTORS, THE
11 ASSOCIATION HELD AN INFORMATIONAL HEARING ON THE T.M.C.
12 PROJECT. WE THEN POLLED 1,000 HOUSEHOLDS WHO COMPRISED OUR
13 MEMBERSHIP. WE RECEIVED BETTER THAN A TEN PERCENT RESPONSE
14 IN STATISTICAL TERMS OF CLEAR OPINION INDICATOR. 98
15 PERCENT OF SAND CANYON RESIDENTS ARE TOTALLY OPPOSED TO
16 T.M.C. MINING PROJECT.

17 WE, THEREFORE, RESPECTFULLY REQUEST THAT THE
18 T.M.C. MINING PROPOSAL BE DENIED. THE ONLY ACCEPTABLE
19 ALTERNATIVE IS NO MINING. THANK YOU.

20 NOW I'D LIKE TO -- (INAUDIBLE).

21 **23** MS. FLECK: GOOD AFTERNOON, MEMBERS OF THE PLANNING
22 COMMISSION. I AM JANE FLECK. I'M HERE REPRESENTING THE
23 SAND CANYON HOMEOWNERS ASSOCIATION. MY PRESENTATION WILL
24 TAKE ABOUT FIVE MINUTES. I'M USING PART OF BOB'S TIME AND
25 MINE, AND I'M ENLISTING THE AID OF SEVERAL OTHER MEMBERS OF
26 THE ASSOCIATION.

27 TODAY I WILL ADDRESS THE ISSUE OF NOISE AND
28 DEMONSTRATE HOW THE SUBJECT E.I.R. IS FILLED WITH

1 INACCURACY AND MISSTATEMENTS ABOUT NOISE. SOUND
2 MEASUREMENT IS A TECHNICAL AREA, BUT IT'S VERY EASY TO
3 UNDERSTAND. MY LATE FATHER WAS AN ELECTRICAL AND AUDIO
4 ENGINEER WHO DEVELOPED THE SCALE BY WHICH WE MEASURE HUMAN
5 SOUND PERCEPTION.

6 I UNDERSTOOD THESE CONCEPTS WHEN I WAS IN EARLY
7 CHILDHOOD, AND THEY LED ME INTO A LIFE AS A TECHNICIAN IN
8 THE MOVIES. LET'S START WITH THE WORD DECIBEL OR D.B. ONE
9 D.B. IS THE MINIMUM AMOUNT OF CHANGE DETECTABLE BY HUMAN
10 HEARING LIKELY. IF YOU WENT INTO A QUIET ROOM AND SOMEONE
11 INTRODUCED NOISE VERY SLOWLY, THE POINT AT WHICH YOU WOULD
12 HEAR THAT NOISE IS ONE DECIBEL.

13 T.M.C.'S E.I.R. STATES THAT THE MINIMUM
14 DETECTABLE NOISE LEVEL IS 3 D.B.'S, AND THAT'S INCORRECT.
15 SOUNDS RADIATES OUT FROM A SOURCE GETTING SOFTER AS YOU GET
16 FURTHER AWAY. THINK ABOUT A CAR DRIVING AWAY FROM YOU.
17 NOISE DOES NOT DIMINISH OR ATTENUATE RAPIDLY, HOWEVER.
18 EACH DOUBLING OF DISTANCE LOWERS THE D.B. LEVEL BY HALF.

19 FOR EXAMPLE, LAST NIGHT AT ABOUT 10:00 P.M. I
20 DID A SHORT TEST. I GENERATED 100 DECIBELS AT ONE FOOT
21 FROM MY NOISE GENERATOR. IT TOOK 225 FEET FOR THAT 100
22 DECIBELS TO BE REDUCED TO 50 DECIBELS. SO SOUND DOESN'T GO
23 AWAY QUICKLY; IT TRAVELS LONG DISTANCES SLOWLY BECOMING
24 SOFTER.

25 I BROUGHT THE SOUND (INAUDIBLE) IN TODAY WHICH
26 MEASURES THE DECIBEL LEVELS. BEFORE THE MEETING BEGAN WE
27 DID A LITTLE TESTING TO CHECK THE LEVELS WE'RE GOING TO
28 ~~DEMONSTRATE FOR YOU AND TO SET THEM ACCORDING TO THIS~~

1 METER. BACK WHEN THIS ROOM WAS QUIET WE GENERATED NOISE
2 UNTIL WE REACHED THE DESIRED DECIBEL LEVELS AND CALIBRATED
3 OUR NOISE GENERATOR TO GET THESE LEVELS CORRECT FOR WHERE
4 YOU ARE SEATED SINCE DISTANCE MAKES A GREAT DEAL OF
5 DIFFERENCE.

6 ON PAGE 3-117 OF THE E.I.R., T.M.C. ASSERTS
7 THAT THE AVERAGE HUMAN RESPONSES TO VARIOUS NOISE LEVELS.
8 I'D LIKE YOU TO HEAR THESE NOISE LEVELS. ANYONE IN THE
9 AUDIENCE WHO IS WEARING A HEARING AID MAY WANT TO PLUG
10 THEIR EARS AT THIS POINT BECAUSE THE NOISE LEVELS WE'RE
11 GOING TO DEMONSTRATE MAY DAMAGE YOUR HEARING.

12 MR. TOY: THEN I WOULD SUGGEST THAT YOU BACK UP. I
13 DON'T WANT TO DAMAGE MY HEARING.

14 MS. FLECK: YOU CAN PLUG YOUR EARS, TOO.

15 MR. TOY: NO, JUST PUT IT BACK. I DON'T NEED IT TO
16 BE TWO FEET IN FRONT OF ME.

17 MS. FLECK: THE ISSUE IS AS HE BACKS UP IT WILL GET
18 SOFTER.

19 MR. TOY: I DON'T NEED IT TWO FEET IN FRONT OF ME.

20 MS. FLECK: PUT IT RIGHT HERE.

21 MR. TOY: MOVE BACK.

22 MS. FLECK: UNFORTUNATELY, AT OUR HOMES WE WON'T BE
23 ABLE TO BACK UP.

24 MS. CAMPBELL: WE UNDERSTAND (INAUDIBLE DUE TO
25 APPLAUSE).

26 MR. TOY: MADAM CHAIRMAN, I THINK THE COMMISSION, WE
27 SAT HERE VERY PATIENTLY, WE TRIED TO LISTEN TO AS MUCH
28 TESTIMONY AS POSSIBLE. THOSE OF YOU WHO HAVE SEEN MYSELF,

1 I THINK MYSELF, I'M THE ONLY ONE LEFT FROM THE ELSMERE
2 (PHONETIC) HEARING, TRY TO BE SENSITIVE. HOWEVER, I DON'T
3 LIKE THEATRICALS. I'VE ALLOWED YOU TO GO ON AND ON AND ON.
4 AND I DON'T NEED TO BE SITTING HERE WHEN YOU'RE SAYING I'M
5 GOING TO BE IN FRONT OF YOU TWO FEET AND DO IT. I MEAN IT
6 REALLY IS NOT --

7 UNIDENTIFIED SPEAKER: THEN GO HOME.

8 MR. TOY: ALL RIGHT, IF YOU WANT, THEN I'LL GO HOME.
9 IF THAT, IN FACT, IS THE CASE, THEN LET'S DO THAT THEN. IF
10 THAT'S THE CASE, THEN WE'LL DO THAT. LET'S TAKE OFF.
11 FINE. I DON'T HAVE A PROBLEM WITH THAT.

12 MS. CAMPBELL: WHY DON'T WE DO THIS --

13 MS. FLECK: I WOULD REALLY LIKE YOU TO HEAR IT.

14 MS. CAMPBELL: JUST A SECOND, PLEASE. COMMISSIONER
15 TOY HAS STATED SOMETHING; I WANT TO ADDRESS THAT AND THEN
16 WE CAN MOVE FORWARD. ALL RIGHT?

17 MR. TOY, I UNDERSTAND WHAT YOU'RE SAYING. HE
18 HAS BACKED UP. WE DO WANT TO HAVE THE DEMONSTRATION. I
19 THINK THIS IS A FAIR DEMONSTRATION. WE UNDERSTAND YOUR
20 POINT. WE JUST DON'T WANT -- I MEAN YOU'RE TALKING ABOUT
21 DAMAGE TO EARS, AND WE'RE SENSITIVE TO THIS AS WELL.

22 MS. FLECK: AT 100 DECIBELS YOU WOULD HAVE TO BE
23 AROUND IT FOR ABOUT EIGHT HOURS TO START DAMAGING YOUR
24 HEARING. MAINLY THE PEOPLE WHO GET DAMAGED FROM 100
25 DECIBELS ARE CONSTRUCTION WORKERS AND STUFF LIKE THAT. IT
26 IS LOUD, BUT IT'S NO LOUDER THAN A ROCK CONCERT. ROCK
27 CONCERTS ARE 120 TO 140.

28 ~~MS. CAMPBELL:~~ ALL RIGHT. LET'S LISTEN.

1 MS. FLECK: COULD WE PLAY 100 DECIBELS, PLEASE.
2 THAT'S 100 DECIBELS. THIS IS 80 DECIBELS. AND THIS IS THE
3 LEVEL THAT WE'RE GOING TO HAVE AT THE RIVER END THAT HAS
4 THE AREA AROUND THE PERIPHERY OF THE PROJECT.

5 MS. CAMPBELL: WHAT KIND OF NOISE IS THAT?

6 UNIDENTIFIED SPEAKER: YEAH, WHAT'S GENERATING THIS
7 NOISE?

8 MS. FLECK: IT'S THE FM TUNER ON MY BOOM BOX TUNED TO
9 NO STATION.

10 MR. FLECK: WHITE NOISE.

11 MS. FLECK: IT'S CALLED WHITE NOISE. THAT'S THE
12 TECHNICAL WORD FOR IT. IT IS NOT EXACTLY WHAT YOU'D HEAR,
13 OF COURSE, AT THE MINING PROJECT, BUT IT'S SIMILAR.

14 AND THIS IS 50 D.B. WHICH IS A BARELY
15 PERCEPTIBLE LEVEL. OKAY? ACCORDING TO THIS, THIS IS THE
16 LEVEL THAT WOULD BE AMBIENT IN AGUA DULCE AND ALSO IN SAND
17 CANYON. ALTHOUGH SAND CANYON WAS NOT MENTIONED IN THE
18 E.I.R., OUR CANYON IS THE SAME DISTANCE FROM THE MINE AS
19 AGUA DULCE. THIS NOISE LEVEL WILL BE THE BACKGROUND NOISE
20 TO OUR LIVES 24 HOURS A DAY, SEVEN DAYS A WEEK.

21 THE T.M.C. E.I.R. ASSERTS THAT THIS NOISE WILL
22 NOT HAVE A SIGNIFICANT IMPACT. WE THINK IT WILL BREAK OUR
23 STRESS LEVELS IF NOTHING ELSE. MOST OF US MOVED OUT TO
24 THIS RURAL AREA --

25 MS. CAMPBELL: WOULD YOU TURN THAT OFF, PLEASE.

26 MS. FLECK: NOT YET. WE'RE GOING TO LIVE WITH IT. I
27 WANT YOU GUYS TO HAVE IT FOR A FEW MINUTES. (INAUDIBLE)
28 PEACE AND QUIET.

1 MS. CAMPBELL: WE APPRECIATE THE DEMONSTRATION, BUT
2 WE WANT TO HEAR WHAT YOU'RE SAYING. IN ORDER TO HEAR WHAT
3 YOU'RE SAYING, WE'D LIKE TO HEAR IT WITHOUT THE NOISE.
4 THANK YOU.

5 MS. FLECK: OKAY. IN THE NOISE SUMMARY -- ALL RIGHT,
6 I HAVE ONE MORE ISSUE TO BRING UP ABOUT THE E.I.R. WHICH IS
7 INCORRECT. IN THE NOISE SUMMARY ON PAGE 3-142, T.M.C.'S
8 E.I.R. STATES THERE WILL BE A TOTAL OF 90 D.B. ON SITE.
9 THAT'S CLOSE TO THAT LOUDEST NOISE THAT YOU HEARD. BUT HOW
10 THEY REACHED THAT FIGURE AS A TOTAL MAKES USE OF FLAWED
11 METHODOLOGY.

12 OUT OF CONSIDERATION FOR OUR EARS I WON'T TURN
13 THIS BACK ON, BUT YOU REMEMBER WHAT IT SOUNDED LIKE.

14 MS. CAMPBELL: WHAT'S THE FLAWED METHODOLOGY THAT'S
15 LISTED IN THE E.I.R.?

16 MS. FLECK: I'M ABOUT TO SHOW YOU. MARY LOU, I'D
17 LIKE YOU TO MAKE THE 87 D.B. (TOTALLY INAUDIBLE DUE TO
18 BACKGROUND NOISE.)

19 NOW, ACCORDING TO T.M.C., WHEN YOU ADD ALL OF
20 THESE THREE D.B. LEVELS TOGETHER, THERE WILL BE A CHANGE OF
21 ONLY 1 D.B. OF NOISE, MEANING THAT IT IS AT THE THRESHOLD
22 OF HUMAN PERCEPTION LOUDER. I'M GOING TO STOP THE NOISE
23 HERE FOR YOU. I'M SORRY TO HAVE PUT YOU THROUGH THIS, BUT
24 PLEASE DO THE SAME FOR US.

25 IT'S CLEAR THAT THIS E.I.R. SERIOUSLY
26 UNDERESTIMATES NOISE IMPACT FOR THIS PROJECT. NOISE IS A
27 BY-PRODUCT OF MINING AND IS NOT COMPATIBLE WITH OUR AREA.
28 WITH DIRECT (INAUDIBLE) AND DIRECT HEARING OF THIS SITE IS

1 A CHAMPIONSHIP GOLF COURSE THAT'S UNDER CONSTRUCTION,
2 NUMEROUS MILLION-DOLLAR HOMES AND LOS ANGELES NATIONAL
3 FOREST RECREATIONAL AREAS.

4 THIS MINE AND ITS NOISE ARE NOT COMPATIBLE WITH
5 LOCAL RESIDENTIAL AND RECREATIONAL USES. REJECT THIS
6 MINING PROPOSAL. THE ONLY ALTERNATIVE IS NO MINING.

7 MS. CAMPBELL: I'M SORRY, WHO ARE YOU WITH?

8 MS. POSTEN: I'M WITH SAND CANYON HOMEOWNERS
9 ASSOCIATION AS WELL.

10 MS. CAMPBELL: OKAY. THEN AFTER YOUR TESTIMONY WE'RE
11 GOING TO TAKE A BREAK.

12 MS. POSTEN: OKAY. EVERYBODY STAY AWAKE FOR A FEW
13 MORE MINUTES HERE.

14 MS. CAMPBELL: I THINK EVERYBODY'S AWAKE IN THE ROOM
15 AT THIS POINT.

16 MS. POSTEN: I THINK THEY ARE, TOO. WHAT I'M GOING
17 TO TALK ABOUT -- I'LL INTRODUCE MYSELF IN JUST A MOMENT --
18 WON'T BE AS DRAMATIC; IT WILL BE QUIETER, BUT DEADLY. A
19 DEADLY QUIET SUBJECT.

20 **24** MY NAME IS CHARMAINE POSTEN. I LIVE AT 16442
21 LOST CANYON ROAD WHICH IS IN SAND CANYON IN CANYON
22 COUNTRY. I HAVE BEEN IN THE SAME HOUSE THERE FOR 43
23 YEARS.

24 MY QUALIFICATIONS FOR WHAT I'M SPEAKING ABOUT,
25 AS QUICKLY AS I CAN HERE, I HAVE AN ADVANCED DEGREE IN
26 HEALTH SCIENCE FROM CSUN NORTHRIDGE, TAUGHT 29 YEARS HEALTH
27 EDUCATION AT THE HIGH SCHOOL LEVEL AND THREE YEARS AT CSUN
28 IN THE HEALTH SCIENCE DEPARTMENT. I'VE WRITTEN CURRICULUM

1 AND TRAINED HEALTH TEACHERS AT LA USC. OF COURSE, MY
2 CURRICULUM ALWAYS INCLUDED A SECTION ON RESPIRATORY
3 DISEASES AND DISORDERS, AND THAT'S WHAT I'M GOING TO TALK
4 ABOUT TODAY.

5 I SIFTED THROUGH A WHOLE STACK OF JOURNALS ON
6 RESPIRATORY ILLNESS AND AIR POLLUTION. I WILL REFER TO TWO
7 VERY QUICKLY. THESE ARE NOT THINGS THAT MIGHT HAPPEN;
8 THESE ARE WHAT WE CALL RETROSPECTIVE STUDIES OF THINGS THAT
9 HAVE HAPPENED. THE FIRST JOURNAL IS FROM THE ENVIRONMENTAL
10 HEALTH PERSPECTIVE JOURNAL, 1995. IT'S CALLED "HEALTH
11 EFFECTS OF PARTICULATE AIR POLLUTION." I WILL QUOTE JUST
12 THEIR SUMMARY. QUOTE:

13 "WE REVIEWED RECENT EPIDEMIOLOGIC STUDIES THAT
14 EVALUATED HEALTH EFFECTS OF PARTICULATE AIR
15 POLLUTION AND CONCLUDE THAT RESPIRABLE
16 PARTICULATE AIR POLLUTION IS LIKELY AN
17 IMPORTANT CONTRIBUTING FACTOR TO RESPIRATORY
18 DISEASE. OBSERVED HEALTH EFFECTS INCLUDE:
19 INCREASED RESPIRATORY SYMPTOMS; DECREASED LUNG
20 FUNCTION; INCREASED HOSPITALIZATIONS AND OTHER
21 HEALTHCARE VISITS FOR RESPIRATORY AND
22 CARDIOVASCULAR DISEASE; INCREASED RESPIRATORY
23 MORBIDITY AS MEASURED BY ABSENTEEISM FROM WORK
24 OR SCHOOL OR OTHER RESTRICTIONS IN ACTIVITY AND
25 INCREASED CARDIOPULMONARY DISEASE MORTALITY.
26 THESE HEALTH EFFECTS ARE OBSERVED AT LEVELS
27 COMMON TO MANY CITIES IN THE U.S. INCLUDING
28 ~~LEVELS BELOW CURRENT U.S. NATIONAL AMBIENT AIR~~

1 QUALITY STANDARDS FOR PARTICULATE AIR
2 POLLUTION."

3 PLEASE LISTEN TO THIS STATEMENT HERE:

4 "THERE IS NO CLEAR EVIDENCE OF A SAFE
5 THRESHOLD LEVEL."

6 AND IN THIS JOURNAL ARTICLE THERE WERE 99
7 REFERENCES CITED THAT RELATED AIR POLLUTION, WHICH WE MOST
8 CERTAINLY WILL HAVE, TO RESPIRATORY ILLNESS.

9 THE SECOND REFERENCE IS ALSO FROM ENVIRONMENTAL
10 HEALTH PERSPECTIVE. IT'S A JOURNAL THAT CAME OUT IN
11 JANUARY OF THIS YEAR. IN THIS THEY STUDY 2,470 SCHOOL
12 CHILDREN BETWEEN 5 AND 14 YEARS OF AGE. THEY STUDIED TWO
13 AREAS IN EAST GERMANY, ONE THAT WAS STRONGLY IMPACTED BY
14 INDUSTRIAL POLLUTION, BITTERFELD AND HEPSTED (PHONETIC);
15 THE OTHER WAS A NEIGHBORING COUNTY THAT HAD NO INDUSTRIAL
16 POLLUTION.

17 THEY FOUND THAT CONTROLLING FOR ALL THE THINGS
18 THAT GOOD STUDIES CONTROL -- REMEMBER, WE'VE GOT NEARLY
19 3,000 CHILDREN STUDYING HERE -- THERE WAS A 50 PERCENT
20 INCREASED LIFETIME PREVALENCE FOR PHYSICIAN-DIAGNOSED
21 ALLERGIES, ECZEMA AND BRONCHITIS IN THE AREA WHERE THERE
22 WAS THE INDUSTRIAL POLLUTION COMPARED TO THE CHILDREN FROM
23 THE OTHER AREAS WHERE THEY HAD NO INDUSTRIAL POLLUTION AND
24 ABOUT TWICE THE NUMBER OF RESPIRATORY SYMPTOMS SUCH AS
25 WHEEZE, SHORTNESS OF BREATH AND COUGHS WITHOUT COLDS.

26 MS. CAMPBELL: MS. POSTEN, YOU NEED TO CONCLUDE YOUR
27 REMARKS.

28 MS. POSTEN: OKAY. THIS INDUSTRIAL POLLUTION IS

1 RELATED TO SURFACE MINING AND SMELTING OPERATIONS IN THE
2 COUNTY OF HEPSTED. I DON'T WANT OUR AREA TO BE WRITTEN UP
3 IN A JOURNAL LIKE THIS IN THE FUTURE. THANK YOU.

4 MS. CAMPBELL: MS. POSTEN, WOULD YOU PLEASE SUBMIT
5 COPIES OF THOSE ARTICLES FOR OUR -- THANK YOU VERY MUCH.

6 UNIDENTIFIED SPEAKER: COULD I PLEASE SAY ONE THING?

7 MS. CAMPBELL: OKAY, COME FORWARD. HAVE YOU BEEN
8 SWORN IN?

9 UNIDENTIFIED SPEAKER: (INAUDIBLE.)

10 MS. CAMPBELL: WELL, YOU HAVE TO BE SWORN IN. SO
11 THIS IS WHAT I'M GOING TO DO: RIGHT AFTER THE BREAK WE'LL
12 GET YOU SWORN IN, AND YOU CAN BE THE FIRST TO SPEAK.

13 UNIDENTIFIED SPEAKER: THANK YOU.

14 MS. CAMPBELL: LADIES AND GENTLEMEN, BOYS AND GIRLS,
15 LITTLE BABIES THAT WERE SO CUTE THAT YOU BROUGHT OUT TO TUG
16 OUR HEARTSTRINGS, WE'LL BE BACK IN TEN MINUTES.

17 (BREAK IN PROCEEDINGS.)

18 MS. CAMPBELL: ANY PEOPLE WHO WOULD LIKE TO SPEAK AND
19 HAVE NOT BEEN SWORN IN, AT THIS TIME I'D LIKE THEM TO
20 STAND, AND ANYONE ELSE WHO DID NOT GET SWORN PREVIOUSLY BUT
21 WOULD LIKE TO SPEAK. MISS MOORE, IF YOU COULD -- OF
22 COURSE, THIS IS ASSUMING THAT THERE'S TIME THAT YOU WILL BE
23 ABLE TO SPEAK.

24 PLEASE STAND UP, RAISE YOUR RIGHT HAND TO BE
25 SWORN.

26 MS. MOORE: DO YOU EACH OF YOU SWEAR OR AFFIRM THAT
27 THE TESTIMONY YOU MAY GIVE IN THE MATTER NOW PENDING BEFORE
28 THE PLANNING COMMISSION SHALL BE THE TRUTH, THE WHOLE AND

1 NOTHING BUT THE TRUTH?

2 THE AUDIENCE: I DO.

3 MS. CAMPBELL: THANK YOU. NOW, I DID PROMISE -- IS
4 IT NICOLE ORTEGA -- THAT SHE COULD SPEAK FIRST. AND MORGAN
5 STEIN IF YOU WANT TO TAKE THE SEAT NEXT TO HER.

6 AND YOU NEED TO STATE YOUR NAME AND ADDRESS FOR
7 THE RECORD, AND THEN AFTER YOU'RE FINISHED SPEAKING YOU'RE
8 GOING TO SIGN IN FOR ME. OKAY?

9 MS. ORTEGA: OKAY.

10 MS. CAMPBELL: THANK YOU VERY MUCH.

11 **25**

12 MS. ORTEGA: I JUST WANT TO SAY -- MY NAME IS NICOLE
13 ORTEGA, AND I LIVE AT 16903 HIGH FALLS IN (INAUDIBLE).

14 MS. CAMPBELL: HOW CLOSE IS (INAUDIBLE) TO THE SITE?
15 DO YOU KNOW?

16 MS. ORTEGA: I'M NOT SURE, BUT IT'S PRETTY CLOSE. WE
17 CAN SEE FROM THE FREEWAY BY MY HOUSE.

18 MS. CAMPBELL: OKAY, GO AHEAD, NICOLE.

19 MS. ORTEGA: ANYWAY, BUT I JUST WANT TO SAY I'M NOT
20 LIKE A LITTLE 6-YEAR-OLD AND STUFF, BUT THERE'S A LOT OF
21 STUFF THAT'S GOING TO HAPPEN IF THIS MINING GOES IN
22 BECAUSE, LIKE, I HAVE LIKE ASTHMA AND LIKE EMPHYSEMA AND
23 ALL THIS STUFF. AND IT COMES FROM WHEN THEY'RE, LIKE,
24 TEARING OFF OUR ROOFS LIKE ALL THE DUST THAT GETS PUT IN
25 THE AIR AND LIKE ALL THE LITTLE THINGS.

26 AND I CAN'T LEAVE MY WINDOW OPEN AT NIGHT
27 BECAUSE LIKE -- IT, LIKE, ALL THE STUFF COMES IN. THEN I
28 BREATHE IT IN, THEN I HAVE TO WAKE UP AND TAKE MY INHALER
29 AND REALLY ANNOYING STUFF LIKE THAT. AND IT JUST BOTHERS

1 ME THE FACT THAT THEY'RE GOING TO PUT THIS IN BECAUSE THEN
2 IT'S GOING TO BE GOING ON CONSTANTLY. IT'S NOT GOING TO GO
3 AWAY LIKE WHEN THEY'RE JUST DOING OUR ROOF. AND THERE'S
4 GOING TO BE LIKE NO WAY.

5 I MEAN IT'S NOT GOING TO BE ABLE TO, LIKE, DEAL
6 WITH OTHER PEOPLE WHO HAVE LIKE ASTHMA OR ALLERGIES OR
7 ANYTHING LIKE THAT. AND IT'S JUST -- THERE'S NOTHING THAT
8 CAN, LIKE, STOP IT. LIKE THERE'S NOTHING THEY CAN DO
9 THAT'LL STOP ALL THE DUST THAT WILL MAKE EVERYTHING SO BAD
10 FOR THE PEOPLE WITH ALLERGIES LIKE ME. AND I DON'T KNOW,
11 IT'S JUST LIKE REALLY BAD. AND --

12 MS. CAMPBELL: IT'S BAD. SO YOU WANT US TO VOTE NO
13 ON THE PROJECT?

14 MS. ORTEGA: YES. I THINK YOU SHOULD SAY NO BECAUSE,
15 LIKE, I JUST WANT TO SAY THERE'S PEOPLE LIKE ME. AND ONE
16 THING I WANT TO SAY, PEOPLE LIKE ME, LIKE HUMANS, WE WANT
17 TO BREATHE. AND IT'S LIKE REALLY BAD WHEN YOU CAN'T
18 BREATHE AND YOU WAKE UP, ESPECIALLY WHEN YOU'RE HAVING A
19 REALLY GOOD DREAM AND YOU GET WOKEN UP.

20 AND IT'S REALLY BAD WHEN YOU CAN'T BREATHE AND
21 YOU GET HEADACHES AND THEN YOU GET ALL THE STRESS FROM IT.
22 AND THESE THINGS MAKE YOU REALLY STRESSED OUT. YOU START,
23 LIKE, TWITCHING.

24 THANK YOU. THAT'S ALL I WANT TO SAY.

25 MS. CAMPBELL: THANK YOU FOR COMING TO TESTIFY. THIS
26 IS A GOOD CIVICS LESSON. REMEMBER WHEN YOU GET THERE, YOU
27 CAN TELL THEM ABOUT THIS AT SCHOOL.

28 ~~NOW, WHO IS MORGAN STEIN?~~

26

MR. STEIN: I'M MORGAN STEIN, AND I'M 6 YEARS OLD.

MS. CAMPBELL: 6 AND A HALF?

MR. STEIN: NO, JUST 6. AND MY ADDRESS IS 15856.

AND I'M SPEAKING --

MS. CAMPBELL: 15856 WHAT? WHAT'S THE REST OF IT?

MR. STEIN: FALCON --

MS. CAMPBELL: FALCON ROAD?

MR. STEIN: RIM DRIVE, CANYON COUNTRY, CALIFORNIA.

MS. CAMPBELL: VERY GOOD.

MR. STEIN: I'M SPEAKING FOR THE KIDS AT SILVER SPRINGS ELEMENTARY. PLEASE DON'T LET THEM POLLUTE OUR WATER AND AIR. IF THEY THINK THIS IS SUCH A GOOD IDEA, THEN THEY SHOULD DIG UP THEIR OWN BACKYARD.

THANK YOU FOR YOUR TIME, AND I'D LIKE TO SHARE A POSTER WITH YOU.

MS. CAMPBELL: OKAY. SAVE OUR CANYON. VERY GOOD.

ACTUALLY THERE'S ONE OTHER MINORITY SPEAKER. YOU THERE WITH THE BLUE -- IS THAT YOUR INHALER? DOES THAT BELONG TO YOU?

MR. BEBAK: I'M --

MS. CAMPBELL: OKAY, LET'S START AT THE BEGINNING. WHAT IS YOUR NAME?

27

MR. BEBAK: CHASE MC KENZIE BEBAK.

MS. CAMPBELL: CHASE MC KENZIE?

MR. BEBAK: CHASE MC KENZIE BEBAK.

MS. CAMPBELL: OKAY. AND THEN WHAT IS YOUR ADDRESS?

MR. BEBAK: 15812 ADA STREET.

MS. CAMPBELL: ADA STREET? OKAY, AND WHAT CITY IS

1 THAT?

2 MR. BEBAK: CANYON COUNTRY.

3 MS. CAMPBELL: CANYON COUNTRY. VERY GOOD. ALL
4 RIGHT. NOW, GO AHEAD.

5 MR. BEBAK: MY BROTHER AND ME LIKE LIVE IN -- WE HAVE
6 TO TAKE THIS ASTHMA MEDICINE FROM WHEN THE WINDS KICK THE
7 DUST AROUND.

8 MS. CAMPBELL: IT MAKES YOU SICK?

9 MR. BEBAK: IT MAKES ME REALLY SICK. AND IT COSTS --
10 IT MAKES ME COUGH REALLY BAD. AND THIS IS A SPECIAL KIND
11 OF ASTHMA MEDICINE THAT MY BROTHER AND I TAKE.

12 MS. CAMPBELL: DOES IT HELP?

13 MR. BEBAK: UH-HUH.

14 MS. CAMPBELL: OH, GOOD. DO YOU GET TO GO OUTSIDE
15 AND PLAY?

16 MR. BEBAK: HUH-UH.

17 MS. CAMPBELL: OH, I'M SORRY. IS THERE ANYTHING ELSE
18 YOU'D LIKE TO TELL US?

19 MR. BEBAK: HUH-UH.

20 MS. CAMPBELL: YOU JUST DON'T WANT THE WIND AND AIR
21 TO BE BAD, RIGHT?

22 MR. BEBAK: NO.

23 MS. CAMPBELL: OKAY. THANK YOU FOR COMING.

24 NOW I UNDERSTAND THAT A PREVIOUS SPEAKER WHO
25 HAD TOLD US IN ADVANCE THAT SHE WAS GOING TO BE LATE, AND
26 THAT'S THE HONORABLE COUNCILMEMBER JILL KLAJIC. THANK YOU,
27 MS. KLAJIC. WOULD YOU PLEASE STATE YOUR NAME -- WERE YOU
28 SWORN?

1 MS. KLAJIC: YES.

2 MS. CAMPBELL: THANKS. STATE YOUR NAME AND ADDRESS
3 FOR THE RECORD.

4 **28** MS. KLAJIC: MY NAME IS JILL KLAJIC, AND I LIVE AT
5 21217 GYPSUM WAY IN CANYON COUNTRY, CITY OF SANTA CLARITA.
6 GOOD AFTERNOON, AND I DO APOLOGIZE FOR BEING LATE, BUT I
7 COULDN'T GET OFF WORK TONIGHT IN TIME.

8 I'M MAYOR PRO TEM IN THE CITY OF SANTA CLARITA,
9 AND I'D LIKE TO THANK THE REGIONAL PLANNING COMMISSION FOR
10 COMING OUT AND PROVIDING US WITH THIS OPPORTUNITY TO
11 PARTICIPATE IN THE REVIEW PROCESS.

12 THE CITY OF SANTA CLARITA HAS IDENTIFIED
13 SEVERAL AREAS OF CONCERN CONTAINED WITHIN THE DRAFT
14 ENVIRONMENTAL IMPACT REPORT AND HAS SUBMITTED A DETAILED
15 ANALYSIS TO THE COUNTY STAFF. I WILL BRIEFLY SUMMARIZE
16 SOME OF OUR ISSUES AND MAJOR CONCERNS.

17 LAND USE: THE DRAFT ENVIRONMENTAL IMPACT
18 REPORT FAILS TO MENTION THE CITY OF SANTA CLARITA'S
19 GEOGRAPHIC PROXIMITY TO THE PROJECT SITE AND THE CANYON
20 COUNTRY COMMUNITY IN THE EASTERN PORTION OF THE CITY
21 APPROXIMATELY TWO MILES FROM THE PROPOSED PROJECT. OUR
22 CITY'S BOUNDARIES HAVE CONTINUED TO MOVE EAST TOWARD THE
23 PROPOSED PROJECT SITE. SEVERAL ANNEXATIONS IN THE VICINITY
24 OF THE AREA INCLUDE THE PINETREE COMMUNITY WITH 23,330
25 SINGLE-FAMILY HOMES.

26 AESTHETICS: THE PROPOSED PROJECT WILL HAVE
27 SIGNIFICANT VISUAL IMPACT RESULTING FROM THE PROPOSED
28 GRADING. THE AESTHETIC IMPACTS VISIBLE FROM THE ANTELOPE

1 VALLEY FREEWAY IDENTIFIED AS A SECONDARY PRIORITY STEADY
2 ROUTE FOR SCENIC HIGHWAYS WILL BE PERMANENTLY SCARRED IF
3 THIS PROPOSAL IS APPROVED.

4 PUBLIC HEALTH AND SAFETY: PROJECT OPERATIONS
5 WOULD INCREASE THE NUMBER OF PUBLIC HAZARDS IN THE AREA
6 INCLUDING REGULAR USE OF EXPLOSIVES, OPERATION OF LARGE
7 COMBUSTIBLE EQUIPMENT, ON-SITE FUEL STORAGE AND MAJOR
8 EARTH-MOVING OPERATIONS. IN THE EVALUATION OF THE PUBLIC
9 HEALTH IMPACTS THERE IS INSUFFICIENT CONSIDERATION OR
10 REFERENCE TO NEARBY RESIDENTIAL COMMUNITIES AND SENSITIVE
11 HABITAT. IN ADDITION, THE DRAFT E.I.R. FAILS TO IDENTIFY
12 AN EVACUATION PLAN IN THE EVENT OF AN EMERGENCY.

13 TRAFFIC AND CIRCULATION: PROJECT OPERATIONS
14 WOULD OCCUR OVER A 20-YEAR PERIOD INVOLVING DAILY MATERIALS
15 TRANSPORTS THROUGH AREAS THROUGHOUT LOS ANGELES AND THE
16 ANTELOPE VALLEY FREEWAYS. THE DRAFT ENVIRONMENTAL IMPACT
17 REPORT UNDERSTATES THE POTENTIAL TRAFFIC IMPACT OF HEAVY,
18 OVERSIZED EQUIPMENT AND HAUL TRUCKS ON MAJOR FREEWAYS AND
19 LOCAL STREETS. PHASE 1 WOULD INVOLVE A TOTAL OF 347
20 OUTBOUND TRIPS PER DAY AND AN ESTIMATED 582 OUTBOUND TRUCK
21 TRIPS PER DAY DURING PHASE 2. NO MITIGATION IS PROVIDED
22 FOR PROJECT-RELATED TRAFFIC TRAVELING ON THE ANTELOPE
23 VALLEY FREEWAY.

24 AIR QUALITY: THE DRAFT ENVIRONMENTAL IMPACT
25 REPORT CONCLUDES THAT EVEN WITH THE MOST AGGRESSIVE
26 MITIGATION MEASURES IN PLACE, THE PROJECT WILL EXCEED THE
27 ACCEPTABLE LEVELS OF POLLUTANT EMISSIONS. I'LL REFER BACK
28 TO THE CHILDREN THAT JUST SPOKE ON THAT. THE DRAFT

1 ENVIRONMENTAL IMPACT REPORT ARGUES THAT THE EMISSIONS WILL
2 NOT AFFECT EVEN THE CLOSEST RESIDENTIAL NEIGHBORHOOD;
3 HOWEVER, THERE IS NO DISCUSSION OF THE SANTA CLARITA VALLEY
4 AS A HIGH-WIND ADVISORY AREA. THEIR AIR QUALITY SECTION
5 SHOULD INCLUDE A COMPREHENSIVE ANALYSIS OF WIND PATTERN AND
6 APPROPRIATE MITIGATION MEASURES.

7 NOISE AND VIBRATION: PROJECT-GENERATED NOISE
8 WOULD INCLUDE ON-SITE BLASTING, AGGREGATE EXCAVATION,
9 MATERIAL PROCESSING, ON-SITE MACHINERY, HAUL TRUCKS AND
10 SHIPPING TRUCKS. PROJECT OPERATIONS ARE PROPOSED TO
11 INCREASE SIGNIFICANTLY DURING THE SECOND PHASE. NOISE AND
12 VIBRATION ASSOCIATED WITH THE PROPOSED PROJECT WOULD HAVE
13 AN ADVERSE IMPACT ON RESIDENTIAL COMMUNITIES AND NATURAL
14 HABITATS IN THE VICINITY OF THE PROJECT.

15 ALTERNATIVES TO THE PROJECT: THE DRAFT
16 ENVIRONMENTAL IMPACT FAILS TO ADEQUATELY ADDRESS POTENTIAL
17 ALTERNATIVES TO THE PROPOSED PROJECT. SIX SITES ARE
18 BRIEFLY DISCUSSED BUT WERE ELIMINATED FROM FURTHER ANALYSIS
19 PRIOR TO THE PREPARATION OF THE DRAFT ENVIRONMENTAL IMPACT
20 REPORT. ALL ALTERNATIVES CONSIDERED IN THE DRAFT E.I.R.
21 ARE VARIATIONS TO THE PROPOSED PROJECT AT THE PROPOSED
22 LOCATION. THEREFORE, THE OPTION OF THE DECISION MAKING
23 BODY TO RECOMMEND AN ALTERNATIVE SITE IS NOT PROVIDED, NOR
24 ALTERNATIVE BUILDING MATERIALS -- ALTERNATIVE BUILDING
25 MATERIALS ARE NOT PROVIDED.

26 CUMULATIVE IMPACTS: WITH APPROVAL OF THE
27 PROPOSED PROJECT A PRECEDENT WILL BE SET FOR THE
28 ESTABLISHMENT OF FUTURE MINING PROJECTS IN THIS AREA. IT

1 WILL FURTHER CONTRIBUTE TO THE GROWING LAND USE
2 INCOMPATIBILITIES WITH A LARGE NUMBER OF EXISTING AND
3 PROPOSED SENSITIVE USES IN PROXIMITY TO THE PROPOSED SITE.

4 IN CONCLUSION, THE CITY FINDS THE RANGE OF
5 IMPACT TO BE UNDERSTATED IN THE DRAFT ENVIRONMENTAL IMPACT
6 REPORT PROPOSED FOR THE SOLEDAD CANYON SAND AND GRAVEL
7 MINING PROJECT. THE DOCUMENT REPEATEDLY FAILS TO
8 ACKNOWLEDGE AND REGULARLY EXCLUDES THE CITY OF SANTA
9 CLARITA IN SEVERAL SECTIONS OF ITS ANALYSIS. THE CITY
10 FINDS DEFICIENCIES IN ENVIRONMENTAL ANALYSIS AND RECOMMENDS
11 THAT THE APPROPRIATE REFERENCES AND ANALYSIS BE ADDED TO
12 THE FINAL E.I.R.

13 ONCE AGAIN, I'D LIKE TO THANK YOU VERY MUCH FOR
14 COMING OUT, AND I WOULD LIKE TO OFFER OUR CITY'S RESOURCES
15 AND ANYTHING WE CAN DO AND ANY QUESTIONS YOU MIGHT HAVE.
16 WE'D BE VERY HAPPY TO HELP YOU. THANK YOU.

17 MS. CAMPBELL: WE'LL HEAR FROM L.A.S.E.R.,
18 L-A-S-E-R. IF REPRESENTATIVES FROM LASER WOULD LIKE TO
19 COME FORWARD.

20 PLEASE STATE YOUR NAME AND ADDRESS FOR THE
21 RECORD, AND PLEASE DO NOT REPEAT PREVIOUSLY MADE COMMENTS
22 OR TESTIMONY.

23 **29** MR. CAMERON: THANK YOU, AND I WILL OBSERVE THAT
24 RESTRICTION. MY NAME IS ALLEN CAMERON. I'M THE
25 CO-CHAIRPERSON OF THE LANDFILL ALTERNATIVE, SAFE
26 ENVIRONMENTAL RESOURCES COALITION. I'M ALSO PRESIDENT AND
27 CHIEF EXECUTIVE OFFICER OF COMPREHENSIVE DEVELOPMENT
28 CONSULTING, A FIRM THAT IS RESPONSIBLE WITHIN THE CITY OF

1 SANTA CLARITA FOR THE ISSUANCE OF MORE DEVELOPMENT
2 ENTITLEMENTS THAN ANY OTHER ENTITY.

3 AND I WANT TO SPEAK BRIEFLY ABOUT WHY
4 L.A.S.E.R. IS INTERESTED IN THIS PROPOSAL. AS YOU HEARD,
5 IT IS CONTRADICTORY TO THE REQUIREMENTS OF 8939 TO
6 ENCOURAGE THE USE OF ALTERNATIVES TO LANDFILLS. IT
7 SUBSIDIZES INAPPROPRIATELY VIRGIN MATERIALS, AND WE'RE
8 GOING TO SUBMIT TO YOU A WRITTEN ANALYSIS ON THAT ISSUE
9 PRIOR TO THE CLOSING OF YOUR COMMENTS.

10 A BRIEF OBSERVATION: WE'RE GOING TO CLEARLY
11 HAVE ANOTHER HEARING BASED ON THE SIZE OF THE NUMBER OF
12 OPPONENTS THAT WISH TO OPPOSE THIS PROJECT. YOU HAVE YOUR
13 ENVIRONMENTAL REVIEW PERIOD END DATE PRIOR TO THE TENTATIVE
14 SCHEDULING OF THAT NEXT OPPONENTS HEARING. MAY I SUGGEST
15 YOU CONSIDER EXTENDING THE ENVIRONMENTAL REVIEW PERIOD TO A
16 DATE BEYOND THE NEXT SCHEDULED HEARING FOR OPPONENTS TO
17 TESTIFY SO THAT THEIR TESTIMONY WOULD BE PART OF THE
18 ADMINISTRATIVE RECORD.

19 WITH THAT I WOULD LIKE TO CUT TO THE END OF MY
20 PRESENTATION AT THE BEGINNING. BUT ACTUALLY FOR YOU I OWE
21 YOU SOMETHING. MR. TOY, I DO RECALL YOUR PRESENCE HERE A
22 LITTLE OVER FOUR YEARS AGO, AND I WANT TO THANK YOU AGAIN
23 FOR COMING HERE AS YOU DID FOR ELSMERE CANYON, FOR CHIQUITA
24 CANYON, AND FOR NEWHALL RANCH. IT'S NICE TO SEE YOU
25 AGAIN.

26 THE CHASE, THE CONCLUSION OF MY TESTIMONY IS
27 SIMPLE: THE EVIDENCE, THE FACTS, THE PRECEDENCE, THE
28 ABSOLUTE UNEQUIVOCAL DENIAL OF THIS PROJECT CANNOT BE

1 DISPUTED BY THE FACTS. AND THAT IS WHAT WE WILL ASK, AND
2 THAT IS WHAT WE WILL PURSUE AS LONG AS IT TAKES TO
3 ACHIEVE.

4 A FEW BRIEF COMMENTS ABOUT WHY THE PROPOSAL AS
5 IT WAS PRESENTED TO YOU IS DEFECTIVE. AS MS. KLAJIC
6 MENTIONED, THE ALTERNATIVES TO THE PROJECT WERE
7 DISINGENUOUSLY EXCLUDED, OBSCURED AND UNANALYZED IN THE
8 PROPOSAL BEFORE YOU. IN ADDITION, THE PROPOSAL AS
9 SUBMITTED IS ABSOLUTELY INCOMPATIBLE WITH APPROXIMATELY 25
10 FULLY CERTIFIED, FULLY ANALYZED, FULLY REVIEWED
11 ENVIRONMENTAL STUDIES FROM MULTIPLE GOVERNMENT AGENCIES
12 FROM THE CITY, THE COUNTY, THE STATE AND THE FEDERAL
13 GOVERNMENT RENDERING THIS PROPOSAL AT THIS STAGE TEN YEARS
14 INTO ITS INCEPTION NO LONGER VIABLE, NO LONGER COMPATIBLE
15 WITH ITS SURROUNDINGS.

16 SO IN CONCLUSION -- THE LAST PROPOSAL, BY THE
17 WAY, WAS APPROVED LIKE THIS BY THIS COMMISSION 21,000
18 DWELLING UNITS IN NEWHALL RANCH THAT SHARES THE SAME
19 MICROCLIMATE IN TERMS OF AIR QUALITY THAT THIS PROJECT
20 PROPOSES TO POLLUTE.

21 SO IN CONCLUSION OF MY TESTIMONY ON BEHALF OF
22 L.A.S.E.R., PLEASE REGARD THE TESTIMONY YOU'VE RECEIVED AT
23 THE END OF THE PERIOD CAREFULLY. AND ON THAT BASIS YOUR
24 ONLY OPTION WOULD BE UTTER, COMPLETE DENIAL. THANK YOU
25 VERY MUCH.

26 **30** MR. CARBARKER: MY NAME IS MICHAEL HENRY CARBARKER
27 (PHONETIC). I LIVE IN AGUA DULCE, 33333 PEWTER ROAD. I'M
28 PRESIDENT OF S.A.F.E., SAFE ACTIONS FOR THE ENVIRONMENT,

1 AND A MEMBER OF L.A.S.E.R.

2 I'D LIKE TO SPEAK ON THE WATER ISSUE RIGHT
3 NOW. GROUNDWATER IS REPORTED TO BE TRANSIT MIX'S WATER
4 SOURCE. IT HAS BEEN TRADITIONALLY PUMPED FROM THE RIVER TO
5 SERVE COMMUNITIES IN THE EASTERN AREA OF SANTA CLARITA
6 VALLEY AND IS CONTINUALLY PUMPED IN THE WEST OF THE VALLEY
7 AND NEIGHBORING CITIES.

8 THE WELLS IN EASTERN SANTA CLARITA WENT DRY
9 DURING THE '91 DROUGHT. SINCE THAT TIME MANY MORE HOMES
10 HAVE BEEN BUILT IN THIS AREA OF THE VALLEY. THERE IS NO
11 WATER DELIVERY SYSTEM FROM EITHER SANTA CLARITA VALLEY OR
12 THE ANTELOPE VALLEY OR ANYONE ELSE TO THE TRANSIT MIX
13 SITE.

14 THE WATER SUPPLIED TO EASTERN SANTA CLARITA
15 VALLEY IS MARGINAL AND NOT RELIABLE AT PRESENT. ADEQUATE
16 PIPELINES AND OTHER FACILITIES ARE NOT IN PLACE TO ASSURE A
17 RELIABLE WATER SUPPLY. WILL-SERVE LETTERS ARE BEING GIVEN
18 TO DEVELOPERS WITH CONDITIONS THEY CAN BUILD ONLY IF THERE
19 IS WATER.

20 TRANSIT MIX HAS NOT ADDRESSED THE QUESTION OF
21 FINANCIAL BURDENS THAT WOULD BE PLACED ON THE PRESENT WATER
22 USERS WHEN THE WATER SOURCE BECOMES INTERRUPTED OR
23 DEPLETED. IF MORE WATER IS NECESSARY IN THE EVENT OF A
24 DEPLETION, STATE WATER WOULD HAVE TO BE SUPPLIED TO
25 SUPPLEMENT THE LOSS. STATE WATER IS MORE EXPENSIVE THAN
26 GROUNDWATER AND IS NOT ALWAYS RELIABLE. USING STATE WATER
27 EXCLUSIVELY WOULD BE A FINANCIAL BURDEN ON THE PRESENT
28 USERS.

1 ADDITIONAL WATER FACILITIES WOULD HAVE TO BE
2 BUILT TO SUPPLY ANY EXTRA WATER THAT MAY BE AVAILABLE.
3 THESE ISSUES HAVE NOT BEEN ADDRESSED, THEREFORE, THIS
4 PROJECT SHOULD BE DENIED. THANK YOU.

5 MS. CAMPBELL: THANK YOU.

6 **31**

MS. WAMPOLL: MY NAME IS BARBARA WAMPOLL (PHONETIC).
7 I LIVE AT 28006 SAN MARTINEZ GRANDE CANYON ROAD IN SAUGUS.

8 MS. CAMPBELL: STATE YOUR NAME AGAIN, PLEASE.

9 MS. WAMPOLL: MY NAME IS BARBARA WAMPOLL. I LIVE AT
10 28006 SAN MARTINEZ GRANDE CANYON ROAD. I'M WITH FRIENDS OF
11 THE SANTA CLARA RIVER, AND WE SUPPORT L.A.S.E.R. AND THEIR
12 COMMENTS ON THIS PROJECT.

13 I'D LIKE TO THANK YOU FOR COMING TO THE SANTA
14 CLARITA VALLEY AND FOR THIS OPPORTUNITY TO COMMENT ON
15 TRANSIT MIX'S MINING PROPOSAL. FRIENDS OF THE SANTA CLARA
16 RIVER, FOR THOSE OF YOU WHO HAVEN'T SEEN US AT A MEETING
17 BEFORE, OUR PUBLIC INTEREST ENVIRONMENTAL GROUP IS DEVOTED
18 TO PROTECTION OF THE RESOURCES IN THE SANTA CLARA RIVER
19 VALLEY.

20 WE WOULD LIKE TO STATE FROM THE OUTSET THAT WE
21 BELIEVE YOU SHOULD DENY THIS PROJECT. WE ARE CONCERNED
22 WITH THE IMPACT OF THIS PROJECT ON THE NATURAL RESOURCES OF
23 THE DELICATE REGION OF THE RIVER WHERE THE PROJECT IS
24 PROPOSED AND THE RIVER AS A WHOLE. WITH 28 MILLION DOLLARS
25 IN ROYALTIES TO THE FEDERAL GOVERNMENT, IT IS DISTURBING TO
26 THINK HOW PERCEPTION OF THE LOCAL IMPACTS OF THIS PROJECT
27 WILL BE VIEWED FAIRLY BEYOND OUR COUNTY.

28 WHEN NATURAL RESOURCES ARE DEPLETED OR SCARCE,

1 STRIFE IS LIKELY, IF NOT INEVITABLE, BETWEEN PEOPLE, CITIES
2 AND COUNTIES. THE LACK OF INCENTIVE FOR RECYCLING IS ALSO
3 A CONCERN FOR US AS WELL. CLEAN AIR, CLEAN WATER, FOOD
4 CLOTHING AND SHELTER ARE NECESSITIES, AND ALL NATURAL
5 RESOURCES WILL REQUIRE THEM.

6 FRIENDS WOULD LIKE TO SEE OUR LOCAL AND
7 REGIONAL GOVERNMENTS UNDERSTAND THAT GENERALLY OUR RATE AND
8 MEANS OF CONSUMPTION OF RESOURCES ARE ALREADY CREATING
9 STRIFE IN THE SANTA CLARITA VALLEY. CLEAN AIR AND WATER
10 HEAD THE LIST WITH THE LITIGATION ON NEWHALL RANCH
11 PRESERVED BY 13 PARTIES INCLUDING A NEIGHBORING COUNTY,
12 FIVE CITIES, ENVIRONMENTAL GROUPS. AND THE GRADING OF THAT
13 PROJECT ADDS OUTRAGEOUS IMPACTS TO THE AIR IN ADDITION TO
14 THIS ONE.

15 WE SEE GROUNDWATER USE REGARDING THE ENDANGERED
16 SPECIES HERE ABSOLUTELY OUT OF THE QUESTION. RUNOFF AND
17 THE RISKS REGARDING CRITICAL HABITAT OF THE UNARMORED THREE
18 SPINE STICKLEBACK ARE NOT MITIGATED. IT'S STATED IT WILL
19 BE MITIGATED TO THE EXTENT POSSIBLE. IT SHOULD BE
20 MITIGATED ABSOLUTELY WITH NO PROJECT.

21 AIR QUALITY IMPACTS COMMON BEFORE IS A VIVID
22 EXAMPLE OF BEFOULING OUR NESTS WHEN WE'RE TRYING TO FIND
23 WAYS TO IMPROVE OUR AIR QUALITY. THIS IS ANOTHER EXAMPLE
24 OF GROWTH INDUCEMENT, NOT SIMPLY ACCOMMODATING GROWTH. IT
25 LITERALLY PAVES THE WAY FOR UNPAVED, UNPLANNED GROWTH.

26 WHETHER IT'S WATER SUPPLY OR BUILDING SUPPLY,
27 VENDORS SAY THEY CAN SUPPLY WHATEVER IT IS WITHOUT ADEQUATE
28 DOCUMENTATION. APPROVALS ARE GIVEN. THE VENDORS SAY THEY

1 MUST SECURE SUPPLIES THEN, AND THE COUNTY WILL ASSESS THE
2 IMPACT OF THE GROWTH INDUCEMENT. IT'S A SHAME, AND OUR
3 REGION WILL AT THE CURRENT RATE BE FAR OVERBUILT BEFORE
4 ADEQUATE RESOURCES ARE -- WITH ADEQUATE RESOURCES IN NO
5 TIME.

6 CLEAN AIR, CLEAN, ADEQUATE WATER, AND
7 INVALUABLE, IRREPLACEABLE OPEN SPACES WHICH CRADLE OUR
8 COMMUNITIES IN THE SANTA CLARITA VALLEY WOULD BE CASUALTIES
9 OF THE GROWTH INDUCING APPLIED AND INEVITABLE BY THIS
10 PROJECT.

11 PLEASE DENY THIS PROJECT. THANK YOU.

12 MS. CAMPBELL: WE'LL HEAR FROM S.A.F.E.S., WHICH IS
13 DIFFERENT FROM S.A.F.E. S.A.F.E.S., STONECREST, PLEASE
14 COME FORWARD.

15 STATE YOUR NAME AND ADDRESS FOR THE RECORD.

16 **32**

MR. LARSON: MY NAME IS STEWART LARSON, MY ADDRESS
17 14215 WEST EVERGLADES COURT, CANYON COUNTRY.

18 GOOD EVENING. I LIVE IN THE STONECREST TRACT
19 WITH MY WIFE AND TWO YOUNG CHILDREN, AGES 4 AND 6. WE ARE
20 EXTREMELY CONCERNED ABOUT THE DUST AND AIR POLLUTION WHICH
21 WOULD BE GENERATED BY THIS PROJECT.

22 FACT: THE E.I.R. REPEATEDLY ACKNOWLEDGES THAT
23 AIR QUALITY WILL BE SIGNIFICANTLY AFFECTED EVEN WITH FULL
24 MITIGATION IN PLACE.

25 FACT: THE 14 FREEWAY IS REGULARLY A HIGH-WIND
26 ADVISORY AREA. IN ADDITION, SOLEDAD CANYON IS A MAIN
27 CONDUIT FOR SANTA ANA WINDS.

28 FACT: THE COMMUNITY OF STONECREST, CONSISTING

1 OF 378 SINGLE-FAMILY RESIDENCES, WITH MORE APPROVED AND
2 SCHEDULED TO BE BUILT, LIES APPROXIMATELY ONE AND A QUARTER
3 MILES FROM THE PROJECT SITE. HOW THEN CAN IT BE EXPLAINED
4 THAT T.M.C. CLAIMS THAT NO ONE WILL BE AFFECTED?

5 IN THE RESPONSE TO THE BURDEN OF PROOF T.M.C.
6 ASSERTS THAT, QUOTE:

7 "THE PROJECT WILL NOT ADVERSELY AFFECT THE
8 HEALTH, SAFETY OR WELFARE OF PERSONS RESIDING
9 IN THE SOUNDING AREA."

10 AND AT THE MEETING OF THIS COMMISSION ON APRIL
11 21ST, RICHARD GRABOWSKI, DEPUTY STATE DIRECTOR OF THE
12 B.L.M., STATED THAT THERE ARE, QUOTE, "NO SIGNIFICANT
13 IMPACTS THAT CANNOT BE MITIGATED." THIS IS UNBELIEVABLE
14 LITERALLY AS IT DIRECTLY CONTRADICTS THE E.I.R. WHICH
15 STATES, AND I QUOTE:

16 "EVEN AFTER MITIGATION RESIDUAL IMPACTS ON TWO
17 ENVIRONMENTAL RESOURCES WILL STILL BE
18 CONSIDERED SIGNIFICANT. IMPACTS ON REGIONAL
19 AIR QUALITY CAUSED BY DUST AND EMISSIONS FROM
20 MINING ACTIVITIES WILL REMAIN."

21 IN RESEARCHING FOR POSSIBLE EXPLANATIONS FOR
22 THESE ILLOGICAL CONCLUSIONS, I FOUND THAT THE B.L.M. AND
23 THE E.I.R. BOTH MENTION A HOUSE THAT'S A QUARTER MILE SOUTH
24 OF THE SITE, A FEW RURAL RESIDENCES AND ONE R.V. PARK, AND
25 FINALLY SOME RECEPTORS ARE LOCATED IN THE COMMUNITY OF AGUA
26 DULCE AT A DISTANCE OF ABOUT THREE MILES TO THE NORTH,
27 PERIOD.

28 NO MENTION IS MADE OF STONECREST WHERE WE LIVE

1 WHICH IS LESS THAN A MILE AND A HALF FROM THE PROJECT. WE
2 THINK IT IS VERY CLEAR TO ANYONE WITH AN UNBIASED
3 PERSPECTIVE, OR JUST PLAIN OLD COMMON SENSE, THAT
4 RESIDENCES LOCATED BETWEEN A MILE AND A MILE AND A HALF
5 FROM THE PROJECT IN A HIGH-WIND AREA WOULD BE SEVERELY
6 IMPACTED BY THE POLLUTION GENERATED BY THIS PROJECT. THESE
7 HOMES WERE APPROVED AND ARE BEING LIVED IN, AND THE
8 RESIDENTS AND THE EFFECTS OF THIS PROJECT ON THEM MUST BE
9 ACKNOWLEDGED.

10 IT IS LUDICROUS FOR US TO READ IN THE E.I.R.
11 THAT THERE WILL BE SIGNIFICANT DEGRADATION OF AIR QUALITY
12 AND THEN HAVE T.M.C. AND THE B.L.M. TURN AROUND AND TELL US
13 THAT IT WON'T HAVE ANY EFFECT ON ANYBODY. IF THEY TELL US
14 THIS WHICH WE KNOW IS UNTRUE, HOW CAN WE TRUST THAT THEY
15 WILL FOLLOW THE MITIGATION MEASURES, FOR EXAMPLE?

16 WHICH IS WHY I SUBMIT THAT THIS PROJECT BE
17 SUMMARILY REJECTED. PLEASE DO NOT APPROVE THIS MAJOR
18 HEALTH DISASTER IN OUR BACKYARDS. TWENTY YEARS IS AN
19 AWFULLY LONG TIME, AND IF IT IS PASSED THERE WILL BE NO
20 GOING BACK. THANK YOU.

21 **33** DR. TRONG: GOOD EVENING. MY NAME IS DR. JONATHAN
22 TRONG. I LIVE AT 29233 SEQUOIA ROAD IN CANYON COUNTRY.

23 MS. CAMPBELL: DR. JONATHAN WHAT?

24 DR. TRONG: TRONG, T-R-O-N-G.

25 MS. CAMPBELL: T-R-O-N-G.

26 DR. TRONG: I PRACTICE MEDICINE HERE IN SANTA
27 CLARITA; I PRACTICE INTERNAL MEDICINE. I ALSO LIVE IN THE
28 STONECREST DEVELOPMENT ONLY ONE AND A QUARTER MILE AWAY

1 FROM THE PROPOSED SITE. I HAVE STUDIED THE ENVIRONMENTAL
2 IMPACT REPORT, AND I HAVE SEVERAL WORRISOME HEALTH CONCERNS
3 I'D LIKE TO BRING UP.

4 FIRSTLY, THE DUST PARTICLES PRODUCED WILL BE
5 TOXIC. THE E.I.R. STATED THAT UP TO 92 PERCENT OF DUST
6 PARTICLES WILL BE PM10. PM10 PARTICLES ARE NOT CLEARED BY
7 THE HUMAN BODY. IF EXPOSED TO IT, IT SETS UP A RANGE OF
8 DISEASES INCLUDING CONJUNCTIVITIS, RHINITIS, SINUSITIS
9 BRONCHITIS AND ASTHMA.

10 MOST LETHAL AMONG THESE IS ASTHMA. 4,600
11 PEOPLE DIE EACH YEAR, THE MAJORITY OF THE PEOPLE WHO DIE
12 UNDER THE AGE OF 9. I HAVE A COLLEAGUE HERE WHO WILL
13 DISCUSS THIS IN DETAIL LATER. SHE IS A CRITICAL CARE
14 PEDIATRICIAN -- PEDIATRIC NURSE.

15 SECONDLY, THE TYPE OF (INAUDIBLE) DUST IS JUST
16 AS DANGEROUS TO YOUR HEALTH AS THE SIZE OF THE DUST,
17 SILICON DIOXIDE DUST IN PARTICULAR. IT IS WELL KNOWN THAT
18 SILICON DIOXIDE DUST IS PRODUCED AND ASSOCIATED WITH MINING
19 AND ROCK QUARRYING. EXPOSURE TO THIS MATERIAL CAUSES
20 PULMONARY SILICOSIS. ALL YOU NEED IS TEN MONTHS OF
21 EXPOSURE, AND THIS DISEASE CAN BE RAPIDLY FATAL IN LESS
22 THAN TWO YEARS.

23 IF YOU ARE FORTUNATE AND YOU MOVE AWAY, THE
24 DISEASE CAN STILL DEVELOP TWENTY YEARS LATER. EVEN WORKERS
25 WITH PROPER EQUIPMENT, BREATHING EQUIPMENT, CAN STILL
26 DEVELOP THE DISEASE, LET ALONE THE RESIDENTS WHO WILL BE
27 LIVING IN THIS DUST CLOUD FOR 20 YEARS.

28 THIRDLY, THERE IS VALLEY FEVER. VALLEY FEVER

1 IS CAUSED -- IS A PNEUMONIA CAUSED BY THE FUNGUS
2 COCCIDIOIDOMYCOSIS. THE SPORES OF THIS FUNGUS RESIDES IN
3 THE SOIL WHEN DISPERSED MINING, DYNAMITE BLASTING. IT CAN
4 BE INHALED AND CAUSES A DEBILITATING PNEUMONIA. IT CAN
5 SPREAD TO THE JOINTS, TO THE BONES AND TO THE BRAIN. ONCE
6 IT REACHES THE BRAIN, IT'S INCURABLE AND DEATH IS
7 IMMINENT.

8 THE LAST OUTBREAK OF KNOWN VALLEY FEVER
9 OCCURRED IN 1994 -- AFTER THE 1994 EARTHQUAKE. 203 PEOPLE
10 CAME DOWN WITH THE DISEASE. PEOPLE DIED. IT WAS DUE TO
11 EARTHQUAKE AND THE SPORES BEING CARED THROUGH THE WINDS IN
12 THE SIMI VALLEY. THIS WAS PUBLISHED IN THE JAMA, JOURNAL
13 OF THE AMERICAN MEDICAL ASSOCIATION, OCTOBER 1997.

14 FINALLY, THERE'S THE POTENTIAL FOR
15 MOSQUITO-BORNE ILLNESSES. ACCORDING TO THE E.I.R., WATER
16 FROM THE SANTA CLARA RIVER WILL BE USED TO SUPPRESS DUST
17 AND TO PROCESS CEMENT. THE ENTIRE SITE THEN DRAINS THROUGH
18 SEVEN WATER BASINS. THESE ARE LARGE BODIES OF WATER
19 PERFECT FOR MOSQUITO BREEDING.

20 THERE'S NO MALARIA IN THIS PART OF THE COUNTRY,
21 BUT THERE'S WESTERN QUININE ENCEPHALITIS. THIS IS A VIRUS
22 CARRIED BY MOSQUITOS THAT CAUSES INFLAMMATION OF THE
23 BRAIN. YOU CAN DEVELOP SEIZURES, COMA AND DEATH.

24 SO OVERALL THE HEALTH RISKS ARE VERY, VERY
25 BIG. AND I URGE YOU TO SAY NO TO THIS PROJECT. THANK YOU.

26 MS. CAMPBELL: DR. TRONG, COULD YOU SUBMIT A COPY OF
27 YOUR COMMENTS TO THE COMMISSION?

28 DR. TRONG: ABSOLUTELY.

1 MS. CAMPBELL: THANK YOU.

2 PLEASE STATE YOUR NAME AND ADDRESS FOR THE
3 RECORD.

4 **34**

MS. LOMBARDO: GOOD AFTERNOON, I'M JOANNE LOMBARDO.

5 ALONG WITH MY HUSBAND ROBERT AND JONATHAN, OUR 8-YEAR-OLD
6 SON, RESIDE AT 29443 NORTH MAMMOTH LANE. WHAT ATTRACTED MY
7 FAMILY TO THIS AREA WAS THE SCENIC MOUNTAINSIDES AND
8 PEACEFULNESS. I HAVE 18 YEARS' EXPERIENCE AS A LOS ANGELES
9 COUNTY MUNICIPAL AND SUPERIOR COURT REPORTER. I HAVE HEARD
10 ALL OF THE STORIES, WORDS AND DEFINITIONS TWISTED AND
11 DISTORTED TO FAVOR ONE SIDE OR THE OTHER.

12 UPON HEARING ABOUT THE PROPOSED MINING PROJECT,
13 I FELT JUST LIKE ALICE IN WONDERLAND FALLING DOWN THE
14 RABBIT HOLE WITH T.M.C. BEING THE CHESHIRE CAT AND THE
15 FRANTIC WHITE RABBIT IN THE WAISTCOAT BEING THE LATEST
16 PROPOSAL WAS BEING SECRETLY HURRIED THROUGH THE APPROVAL
17 PROCESS. TO MY KNOWLEDGE NO ONE IN THE AREA WAS INFORMED
18 OR NOTIFIED.

19 AFTER WADING THROUGH THE E.I.R. REPORT AND
20 LISTENING TO EXPERTS ON TRAFFIC, AIR QUALITY AND
21 ENVIRONMENT, I FEEL MORE LIKE ALICE IN THROUGH THE LOOKING
22 GLASS. ALICE HAS TO APPROACH THE RED QUEEN BY WALKING AWAY
23 FROM HER, THUS DOING THINGS BACKWARDS TO WHAT IS NORMAL AND
24 ACCEPTED.

25 THE WORD BACKWARD IS WHAT THIS PROPOSED PROJECT
26 SEEMS TO BE. THERE ARE PLANS TO PUT 754 FULLY LOADED
27 GRAVEL TRUCKS PER DAY ON THE ALREADY OVERCROWDED 14 FREEWAY
28 WITHOUT DOING AN ADEQUATE STUDY OF MAJOR TRUCK TRAFFIC

1 IMPACT; PLANS TO CREATE TONS OF FINES TO WASH WITHOUT
2 KNOWING WHERE WATER SUPPLY WILL COME FROM OR CONCERNS WHOSE
3 RIVERS WILL BE POLLUTEED; PLANS TO BLAST INTO THE SIDE OF A
4 MOUNTAIN WITHOUT KNOWING WHETHER A SLEEPING EARTHQUAKE
5 FAULT WILL BE DISRUPTED; PLANS TO PUT IMMEASURABLE AMOUNTS
6 OF FUGITIVE DUST INTO THE AIR WITHOUT KNOWING THE LONG-TERM
7 HEALTH EFFECTS ON OUR CHILDREN, ELDERLY AND INFIRMED.

8 NO PLANS WHO WILL BE RESPONSIBLE FOR
9 CONTROLLING THE AIR QUALITY. DECISIONS ARE BEING MADE
10 BASED ON AN E.I.R. REPORT THAT WAS STARTED IN 1990 WHEN
11 RESIDENTIAL POPULATION NEAR THE SITE WAS PRACTICALLY NIL.
12 THE REPORT IS ALSO MISLEADING WHEN IT STATES: "THE PROJECT
13 SITE HAS BEEN MINED FOR MUCH OF THE PAST 30 YEARS." THE
14 FACT IS NO MINING HAS OCCURRED ON THIS SITE SINCE 1986, 13
15 YEARS AGO.

16 TO PARAPHRASE A BOOK, CONVERSATIONS WITH GOD,
17 YOU PLUNDER THE EARTH, RAPE HER RESOURCES, EXPLOIT HER
18 PEOPLE, SYSTEMATICALLY DISENFRANCHISE THOSE WHO DISAGREE
19 WITH YOU, FOR DOING ALL THIS, CALLING THEM RADICALS, THEN
20 DENY WHAT YOU ARE DOING.

21 WHAT ARE WE TEACHING OUR CHILDREN? TO PUT A
22 PROFIT SIGN IN FRONT OF PEOPLE'S HEALTH AND QUALITY OF
23 LIFE? TO RAPE AND PILLAGE THE EARTH AND LEAVE YOUR MESS
24 BEHIND? THAT HONESTY IS NO LONGER A VIRTUE WE NEED TO
25 CONCERN OURSELVES WITH?

26 I WILL NOT BE HERE IN 60 YEARS. WHAT DO YOU
27 PLAN TO TELL TOMORROW'S CHILDREN, HOW MONEY WAS MORE
28 IMPORTANT THAN LIVES? I AND ALL THE PEOPLE FROM STONECREST

1 AND S.A.F.E.S. WOULD LIKE TO HEAR ANSWERS TO ALL OF THESE
2 QUESTIONS.

3 T.M.C. DOESN'T HAVE THE RIGHT TO TAKE AWAY OUR
4 PRESENT AND FUTURE QUALITY OF LIFE. THEREFORE, WE URGE THE
5 NO MINE ALTERNATIVE VOTE. I NOW ASK STONECREST AND
6 S.A.F.E.S. TO PLEASE STAND UP AND SHOW THEIR SILENT
7 AGREEMENT.

8 MS. CAMPBELL: SILENT AGREEMENT. SILENT AGREEMENT.
9 HELLO.

10 NATURAL HISTORY CLUB OF ACTON.

11 OH, SEE, YOU'RE CHEATING. SEE, YOU BROUGHT
12 YOUR SON FIRST FROM ANOTHER ORGANIZATION. ALL RIGHT.
13 PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

14 **35** MS. NICHOLS: MY NAME IS STACEY NICHOLS, P.O. BOX
15 965, ACTON, CALIFORNIA.

16 MS. CAMPBELL: ALSO KNOWN AS WHOSE MOM?

17 MS. NICHOLS: BRIAN NICHOLS' MOTHER.

18 MS. CAMPBELL: BRIAN NICHOLS' MOM. OKAY.

19 MS. NICHOLS: I'M PRESIDENT OF THE NATURAL HISTORY
20 CLUB OF ACTON/AGUA DULCE. BEFORE YOU THIS EVENING ARE
21 REPRESENTATIVES FROM ALL OVER THE VALLEY AND THE STATE OF
22 CALIFORNIA. NEIGHBORS, NEIGHBORS ALL AGREEING WITH
23 NEIGHBORS. THE HISTORY CLUB, BOARD OF DIRECTORS AFTER
24 IN-DEPTH READING OF THE DRAFT E.I.R., DRAFT E.I.S., FIELD
25 TRIPS TO THE PROPOSED PROJECT SITE, AND MUCH RESEARCH AND
26 INPUT FROM SUBMEMBERS AND CONCERNED RESIDENTS HAS ELECTED
27 TO SUPPORT THE NO PROJECT ALTERNATIVE WITH NO OVERRIDING
28 CONDITIONS FOR THE FOLLOWING REASONS:

1 THE DRAFT E.I.R. AND E.I.S. CONTAIN LARGE
2 AMOUNTS OF OLD AND OUTDATED DATA. THE WATER QUALITY, WATER
3 RESOURCES, GEOTECHNICAL, CULTURAL RESOURCES, HISTORIC SITES
4 (INAUDIBLE) PALEONTOLOGY, AIR QUALITY, VISUAL AESTHETICS,
5 NOISE, VIBRATION, TRAFFIC SAFETY, HEALTH AND QUALITY OF
6 LIFE AND HUMAN CUMULATIVE EFFECTS SECTIONS ARE ALL
7 DEFICIENT. AND THE MIXED LAND USE ISSUE CANNOT BE IGNORED.

8 BECAUSE THESE ISSUES CANNOT BE ADDRESSED
9 SUBSTANTIALLY IN THE TIME FRAME PROVIDED TONIGHT, WE WILL
10 BE SUBMITTING A MORE DETAILED LETTER IN THE NEAR FUTURE.
11 WE WOULD LIKE TO THANK THE COMMISSIONERS FOR HOLDING THIS
12 HEARING LOCALLY AND ALLOWING US THIS TIME TO PROVIDE OUR
13 ORAL COMMENTS.

14 WE WOULD ALSO LIKE TO THANK THE CITY OF SANTA
15 CLARITA, MAYOR JO ANNE DARCY AND THE CITY COUNCIL AND ALL
16 OF OUR NEIGHBORS FOR BEING ALERT, RESPONSIVE AND UNITED ON
17 THIS MOST IMPORTANT PROPOSAL PROJECT.

18 THANK YOU. AND NOW I'D LIKE TO INTRODUCE ANDY
19 FRIED, CEO OF S.A.F.E. AND A MEMBER OF THE NATIONAL HISTORY
20 CLUB.

21 MS. CAMPBELL: THANK YOU.

22 MR. FRIED: HI AGAIN.

23 MS. CAMPBELL: STATE YOUR NAME AND ADDRESS FOR THE
24 RECORD.

25 **36** MR. FRIED: MY NAME IS MR. ANDREW FRIED.

26 MS. CAMPBELL: MR. ANDREW WHAT?

27 MR. FRIED: FRIED, F-R-I-E-D. 10339 ESCONDIDO CANYON
28 ROAD, AGUA DULCE. AND AS STACEY SAID, I'M THE CHAIRMAN OF

1 THE BOARD AND CHIEF EXECUTIVE OFFICER OF SAFE ACTIONS FOR
2 THE ENVIRONMENT. WE ARE A NEW 5013-C NONPROFIT PUBLIC
3 BENEFIT CORPORATION BASED IN AGUA DULCE.

4 WHAT WE'D LIKE TO BRING TO YOUR ATTENTION IS IN
5 DISCUSSIONS WITH OTHER ENVIRONMENTAL GROUPS ACROSS THE
6 COUNTRY AND SEVERAL ATTORNEYS, WE HAVE COME TO DISCOVER
7 THAT SOUTHBOUND DOES NOT HAVE A GOOD RECORD IN TERMS OF
8 PROTECTING THE ENVIRONMENT ACROSS THE COUNTRY.

9 AND I'D LIKE TO JUST MENTION TO YOU ONE
10 PARTICULAR MATTER. THIS IS THE OPINION AND FINAL ORDER
11 BEFORE THE STATE OF OHIO HAZARDOUS WASTE FACILITY BOARD
12 DATED MARCH OF 1994. AND IF I MIGHT, I'D JUST LIKE TO READ
13 YOU ONE VERY, VERY SHORT PARAGRAPH.

14 "APPLICANT RE SOUTHBOUND DID NOT DEMONSTRATE
15 AN ABILITY OR INTENT TO ADEQUATELY RESPOND TO
16 AND ADDRESS BOARD MEMBERS' QUESTIONS REGARDING
17 APPLICANT'S DOCUMENTS. WHAT WAS DEMONSTRATED,
18 HOWEVER, WAS APPLICANT'S SLOPPY ENGINEERING,
19 SLOPPY SCIENCE AND A DISPOSITION THAT, QUOTE,
20 'ERRORS AND INCONSISTENCIES ARE NOT IMPORTANT
21 AND THAT THE BOARD SHOULD NOT WORRY,' CLOSED
22 QUOTE. APPLICANT'S CONTINUED RESPONSE TO THE
23 BOARD'S FUNDAMENTAL QUESTION WAS THAT HE COULD
24 NOT ANSWER."

25 WE'RE GOING TO PROVIDE THIS AND OTHER LEGAL
26 DOCUMENTATION TO YOU. THANK YOU FOR COMING TO SANTA
27 CLARITA, AND THANK YOU FOR THE OPPORTUNITY OF ADDRESSING
28 THIS GROUP. THANK YOU.

1 MS. CAMPBELL: SANTA CLARITA VALLEY CANYONS
2 PRESERVATION COMMITTEE.

3 MS. MC LEAN: HI. GOOD EVENING. WHERE'S YOUR CUP,
4 MR. TOY? YOUR CUP?

5 MS. CAMPBELL: PLEASE STATE YOUR NAME AND ADDRESS FOR
6 THE RECORD.

7 **37**

MS. MC LEAN: MY NAME IS MARSHA MC LEAN, AND I'M
8 PRESIDENT OF THE SANTA CLARITA VALLEY CANYONS PRESERVATION
9 COMMITTEE. I'M ALSO AN ALTERNATE MEMBER OF THE LOS ANGELES
10 COUNTY WASTE MANAGEMENT TASK FORCE. I'M A MEMBER OF THE
11 UCLA COUNTY-WIDE WASTE MANAGEMENT COMMITTEE. I'M ALSO
12 CHAIRPERSON OF THE BUSINESS ENVIRONMENTAL COMMITTEE OF THE
13 SANTA CLARITA VALLEY CHAMBER OF COMMERCE.

14 MS. CAMPBELL: NOW, WHICH CUP DO YOU WANT FROM
15 MR. TOY?

16 MS. MC LEAN: WELL, WHEN WE HAD OUR 5,000 PEOPLE HERE
17 FOR THE ELSMERE HEARING --

18 MS. CAMPBELL: THANK YOU FOR NOT BRINGING THEM HERE
19 TONIGHT.

20 MS. MC LEAN: I HAD PRESENTED A CUP TO ALL OF THE
21 COMMISSIONERS BECAUSE I DON'T LIKE STYROFOAM CUPS BECAUSE
22 THEY USUALLY WIND UP IN A LANDFILL.

23 MS. CAMPBELL: THAT'S RIGHT. THEY DON'T
24 DISINTEGRATE. WELL, WHAT HAPPENED? YOU DIDN'T BRING US A
25 CUP. SEE, WE'RE NEW TO THE BOARD; HE HAS HIS CUP.

26 MS. MC LEAN: WELL --

27 MS. CAMPBELL: COME ON NOW, MS. MC LEAN.

28 MS. MC LEAN: HOW ABOUT IN SEPTEMBER?

1 MS. CAMPBELL: NO, I'M JUST GIVING YOU A HARD TIME.

2 MS. MC LEAN: I CAN COME BACK AND GIVE YOU ONE.

3 ANYWAY, I HOPE I STILL HAVE MY THREE MINUTES.

4 MS. CAMPBELL: YOU STILL HAVE YOUR THREE MINUTES.
5 START THE CLOCK OVER.

6 MS. MC LEAN: MY FAVORITE TOPIC TO TALK ABOUT WHEN A
7 PROJECT AS DEVASTATING TO THE COMMUNITY AS THIS COMES ALONG
8 IS TO WHAT ALTERNATIVES ARE AVAILABLE TO THESE PROJECTS.
9 AND IN LOOKING AT THE E.I.R. AND E.I.S., I FIND THAT
10 NOWHERE IN THERE, ALTHOUGH IT DOES STATE A FEW ALTERNATE
11 SITES WHICH, OF COURSE, THEY DISCOUNT IMMEDIATELY FOR
12 VARIOUS REASONS, THERE WAS ABSOLUTELY NOTHING IN THERE TO
13 LIST ANY ALTERNATE MATERIALS TO BE USED.

14 SO, THEREFORE, THE E.I.R./E.I.S. IS DEFICIENT
15 IN THAT AREA. LEGAL PRECEDENT STATES THAT THE LEAD AGENCY
16 OF A PROJECT ARE NOT FREED OF OBLIGATION TO PREPARE A
17 DETAILED ANALYSIS OF ALTERNATIVES. NOW, I DON'T GET PAID
18 TO DO THIS, BUT THE PEOPLE THAT PROVIDE THAT E.I.R./E.I.S.
19 DO.

20 LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
21 AND L.A. COUNTY SANITATION DISTRICTS RESPONSIBLE FOR WASTE
22 MANAGEMENT CONSTANTLY STATE IN-COUNTY LANDFILL SPACE IS
23 DWINDLING. THEY ALSO RECOGNIZE THAT NO NEW LANDFILL IS
24 LIKELY TO BE BUILT IN AN URBAN AREA. THEREFORE, RECYCLING
25 AND CREATING MARKETS FOR RECYCLABLES IS FOREMOST ON THE
26 MINDS OF DECISIONMAKERS NOT ONLY HERE IN L.A. COUNTY, BUT
27 ALL OVER THE STATE OF CALIFORNIA AND NATIONWIDE.

28 SUSTAINABILITY IS A TERM I'M SURE YOU'VE HEARD

1 AND IS RECOGNIZED ALL OVER THE COUNTRY. IN ORDER TO
2 ACHIEVE SUSTAINABILITY THE GOVERNMENT SUBSIDIZING OF VIRGIN
3 MATERIALS NEEDS TO BE LIMITED. THIS PROJECT FLIES IN THE
4 FACE OF THOSE EFFORTS.

5 IN 1994 WE HAD AN EARTHQUAKE HERE IN
6 NORTHRIDGE. 90 PERCENT OF THE CONCRETE THAT WAS COLLECTED
7 FROM ALL OF DEMOLITION WAS RECYCLED AND REUSED. I HAVE A
8 FIVE-PAGE LIST OF THE DATABASE IN THE STATE OF CALIFORNIA
9 LISTING COMPANIES THAT RECYCLE AND REUSE CONSTRUCTION
10 MATERIALS. NOWHERE IN THIS E.I.R. OR E.I.S. DOES IT NAME
11 ANY OF THEM AS AN ALTERNATIVE TO EITHER LIMITING --
12 SERIOUSLY LIMITING OR ELIMINATING THIS PROJECT.

13 THERE'S MANY, MANY MATERIALS THAT CAN BE USED.
14 THERE'S CRUSHED GLASS, THERE'S USED TIRES. NOWHERE IN THIS
15 E.I.R./E.I.S. DOES IT MENTION ANY ALTERNATE MATERIALS.
16 SANTA CLARITA IS A DESIGNATED RECYCLING MARKET DEVELOPMENT
17 ZONE. THIS PROJECT SERIOUSLY UNDERMINES ANY THOUGHT OF
18 LOCAL RECYCLING. THIS PROJECT NEEDS TO BE DENIED BECAUSE
19 OF ITS DEFICIENCIES IN THE E.I.R./E.I.S.

20 YOU'VE HEARD ABOUT WATER, YOU'VE HEARD ABOUT
21 AIR, YOU'VE HEARD OF ALL THE DEFICIENCIES. THIS PROJECT
22 CANNOT BE ADEQUATELY MITIGATED. IT NEEDS TO BE DENIED.

23 MR. TOY: MS. MC LEAN, I WILL THANK YOU FOUR YEARS
24 AGO FOR YOUR CUP AS WELL AS MR. CAMERON. AS YOU NOTICE, I
25 HAVEN'T USED ANY MORE STYROFOAM CUPS. THE CHAIRPERSON,
26 HOWEVER -- THAT'S JUST TO SHOW YOU.

27 MS. MC LEAN: YOU KNOW, I SAT OVER THERE AND I DID
28 NOTICE THAT. AND I MEANT TO SAY GOOD JOB, BUT I DIDN'T.

1 MR. TOY: THAT'S RIGHT. I THINK --

2 MS. CAMPBELL: WELL, THIS IS THE ONLY CUP I WAS
3 PROVIDED WITH. (INAUDIBLE.)

4 MR. TOY: TO BE FAIR, THOUGH, I THINK THAT THE
5 CHAIRPERSON AND MOST OF THE COMMISSIONERS IN OUR REGULAR
6 MEETING DO USE REGULAR CUPS, AND WE DON'T USE THESE
7 ANYMORE.

8 MS. MC LEAN: GOOD. I'M HAPPY TO HEAR THAT.

9 **38**

MS. JENNIS: HI, COMMISSIONERS. I'M CHRISTINE
10 JENNIS, THE LOCAL ACTIVIST HERE IN TOWN.

11 I CARE ABOUT MY VALLEY.

12 MS. CAMPBELL: CHRISTINE JENNIS DID YOU SAY?

13 MS. JENNIS: J-E-N-N-I-S.

14 MS. CAMPBELL: THANK YOU.

15 MS. JENNIS: AND I CARE ABOUT MY VALLEY.

16 MS. CAMPBELL: WE NEED YOUR ADDRESS FOR THE RECORD,
17 PLEASE.

18 MS. JENNIS: 17952 RIVER CIRCLE, NUMBER 2, 91351.

19 MS. CAMPBELL: SANTA CLARITA?

20 MS. JENNIS: CANYON COUNTRY. I'M PROUD OF CANYON
21 COUNTRY. IT'S A BEAUTIFUL PLACE.

22 MS. CAMPBELL: IT'S A BEAUTIFUL PLACE. I AGREE.

23 MS. JENNIS: AND I WANT TO THANK YOU, MS. CAMPBELL,
24 FOR BEING SO GRACIOUS TO THE YOUNG CHILDREN THAT WANTED TO
25 SPEAK TODAY.

26 MS. CAMPBELL: WELL, I KNOW THEY WERE GOING TO BE
27 FORMING AN ORGANIZATION SOON, BUT THEY JUST DIDN'T MAKE THE
28 LIST.

1 MS. JENNIS: AND THANK YOU, COMMISSIONERS, FOR BEING
2 HERE AND LISTENING TO US. I KNOW IT CAN GET PRETTY TIRED
3 LISTENING TO US.

4 MS. CAMPBELL: OH, NO, THIS IS AN IMPROVEMENT
5 (INAUDIBLE).

6 MS. JENNIS: BUT I LOVE MY VALLEY. I CALL IT MY
7 VALLEY. I CARE ABOUT IT. I BELONG TO THE CANYONS
8 PRESERVATIONS, SIERRA CLUB, S.C.O.P.E., THE DEMOCRATIC
9 CLUB. AND I'D LIKE TO READ A LETTER FROM MY DEMOCRATIC
10 CLUB BECAUSE I'M VICE PRESIDENT THERE ALSO.

11 DEAR COMMISSIONERS, THE DEMOCRATIC CLUB OF
12 SANTA CLARITA VALLEY HAS VOTED TO OPPOSE THE DEVELOPMENT OF
13 THE SAND AND GRAVEL JOB. RECENTLY LOS ANGELES COUNTY
14 APPROVED THAT TENS OF THOUSANDS OF RESIDENTIAL UNITS BASED
15 ON THE PREMISE THAT SANTA CLARITA VALLEY NEEDED TO ABSORB A
16 SIGNIFICANT AMOUNT OF LOS ANGELES COUNTY'S FUTURE GROWTH.

17 THE DANGERS TO THE HEALTH AND SAFETY OF SANTA
18 CLARITA VALLEY RESIDENTS CAUSED BY THIS GRAVEL MINE ARE
19 INCOMPATIBLE WITH AN AREA DESIGNATED FOR SIGNIFICANT
20 FURTHER EXPANSION. THE PROJECT EFFECTS ON WATER
21 AVAILABILITY, WATER QUALITY, AIR QUALITY AND REGIONAL
22 MOBILITY ARE FAR TOO NEGATIVE FOR THIS PROJECT TO BE
23 APPROVED.

24 THE ECONOMIC DAMAGE TO THE RESIDENTIAL, RETAIL
25 AND INDUSTRIAL FUTURE DEVELOPMENT OF THE SANTA CLARITA
26 VALLEY FAR OUTWEIGHS ANY CONCEIVABLE ECONOMIC BENEFIT FROM
27 THE MINE.

28 ALSO, FROM MY HEART, I'M ASKING YOU, PLEASE,

1 DON'T DUMP ON MY VALLEY. THANK YOU.

2 MS. CAMPBELL: NAME AND ADDRESS FOR THE RECORD,
3 PLEASE?

4 **39**

MS. PIERSON: MY NAME IS KAREN PIERSON. I LIVE AT
5 26617 GAVELIN DRIVE, SANTA CLARITA. I AM AN OFFICER IN
6 CANYONS PRESERVATION COMMITTEE; I'M ALSO REPRESENTING AND
7 FOUNDER OF THE SANTA CLARITA VALLEY SIERRA CLUB, WHICH YOU
8 CAN ADD TO YOUR LIST IF YOU'D LIKE.

9 WE JOIN THE MANY WONDERFUL CITIZENS AND GROUPS
10 WHO OPPOSE THE ESTABLISHMENT OF TRANSIT MIX CONCRETE AND
11 ANY OTHER SUBSEQUENT GRAVEL COMPANIES WITH SUCH NEGATIVE
12 IMPACTS OR WORSE. AS YOU'VE HEARD, THERE ARE MANY ADVERSE
13 IMPACTS FROM THIS PROJECT. TRANSIT MIX CONCRETE REPRESENTS
14 A DIRECT ASSAULT ON OUR WATER, OUR WILDLIFE, EVEN
15 ENDANGERED CANADA SPECIES AND ENDANGERED SPECIES AND THEIR
16 HABITAT, OUR AIR AND OUR QUALITY OF LIFE.

17 IT IS INCREDIBLE THAT A PROJECT THAT WOULD ADD
18 APPROXIMATELY ONE TRUCK PER MINUTE TO OUR ROADS IS EVEN
19 BEING CONSIDERED. SOMETIMES WE FORGET THAT EXCESSIVE AIR
20 POLLUTION KILLS LUNG CELLS. THIS PROJECT WOULD EXCEED THE
21 ALLOWABLE LEVEL FOR AIR POLLUTION. I BELIEVE WE ALL HAVE
22 THE RIGHT TO EXPECT YOU TO OPPOSE A PROJECT THAT WILL KILL
23 OUR LUNG CELLS.

24 A PROJECT SUCH AS THIS IS PARTICULARLY
25 DEVASTATING ON THE QUALITY OF LIFE OF OUR CHILDREN, AS YOU
26 HAVE HEARD, AND THE LONGEVITY OF OUR ELDERLY. AS A
27 BUDGETARY CONSIDERATION IT HAS BEEN REPORTED THAT COMMUNIST
28 CITIES CHOSE NOT TO CLEAN UP AIR POLLUTION BECAUSE THEY

1 KNEW ITS EFFECT WAS TO KILL OFF THE SENIORS EARLIER IN
2 THEIR LIFE. THUS, THEY SAVED THE MONEY THEY WOULD HAVE HAD
3 TO PAY THEM IN THEIR RETIREMENT DUE TO EARLY DEATH.

4 OUR RIGHTS ARE A PART OF THE LARGER QUESTION
5 INVOLVED WITH THIS PROPOSAL, AND ALSO OUR RIGHTS ARE
6 INVOLVED WITH OTHER NAZIIST INJURIOUS PROPOSALS, SUCH AS
7 THE ELSMERE DUMP, WHICH HAVE BEEN BROUGHT BEFORE US.

8 SO WHAT RIGHTS DO WE HAVE TO STOP THAT WHICH
9 DAMAGES OUR HEALTH AND QUALITY OF LIFE? WHAT RIGHTS WILL
10 WE GIVE UP? I THINK THE ANSWER IS WE WILL GET THE RIGHTS
11 WE DEMAND WITH OUR VOTES AND OUR ACTIVE PARTICIPATION. IF
12 OUR ELECTED OFFICIALS REFUSE TO PROTECT OUR AIR, WE MUST
13 VOTE AGAINST THEM. IF THEY DON'T DO THEIR DUTY AND PROTECT
14 OUR WATER, WE MUST VOTE AGAINST THEM. IF THEY THINK
15 NOTHING OF THE NOISE POLLUTION THESE THOUGHTLESS PROPOSALS
16 BRING, WE MUST VOTE AGAINST THEM.

17 PLEASE DENY THIS PROPOSAL. THANK YOU.

18 MS. CAMPBELL: PLEASE STATE YOUR NAME.

40

19 MS. ROBERTS: GOOD AFTERNOON, VICE CHAIR CAMPBELL AND
20 COMMISSIONERS. WELCOME TO THE PASSIONATE AND CARING SANTA
21 CLARITA VALLEY. I'M SPEAKING TO YOU TODAY AS THE PRESIDENT
22 ELECT OF THE CHAMBER OF COMMERCE. MY NAME IS CONNIE WARDEN
23 ROBERTS, 27075 LITTLEFIELD, CITY OF SANTA CLARITA.

24 ONE THING -- THE CHAMBER OF COMMERCE IS ONE OF
25 THE LARGEST CHAMBERS IN THE STATE OF CALIFORNIA. WITH AN
26 ACTIVE LIST OF ABOUT 1,400 MEMBERS, IT SERVES THE BUSINESS
27 INTERESTS OF MORE THAN 200,000 RESIDENTS IN THE AREA. THE
28 CHAMBER IS STRONGLY SUPPORTIVE OF BUSINESSES AND INDUSTRIES

1 THROUGHOUT THE REGION WHICH CONTRIBUTE TO THE ECONOMIC
2 VITALITY AND QUALITY OF LIFE FOR OUR RESIDENTS.

3 THEREFORE, WE ARE EXAMINING WITH GREAT INTEREST
4 A PROPOSAL OFFERED BY THE TRANSIT MIX CONCRETE COMPANY FOR
5 A MINE IN THE SANTA CLARITA VALLEY. A DELEGATION OF
6 CHAMBER OFFICERS HAS BEEN REVIEWING THE E.I.R., MET WITH
7 T.M.C. OFFICIALS AS WELL AS WITH CITIZEN GROUPS IN
8 OPPOSITION TO THE PROPOSAL.

9 WE RECOGNIZE THE COMPANY MINES GRAVEL AND
10 AGGREGATE PRODUCTS THAT ARE USED IN HOUSING AND COMMERCIAL
11 CONSTRUCTION AND USUALLY THESE ARE VALUABLE TO BUSINESS
12 INTERESTS. HOWEVER, BASED ON THE ANALYSIS OF ECONOMIC AND
13 ENVIRONMENTAL FACTORS, BOTH THE CHAMBER OF COMMERCE
14 ENVIRONMENTAL COMMITTEE AND THE EXECUTIVE BOARD HAVE
15 REACHED A CONCLUSION AND NEXT WEEK VOTE THE FULL BOARD OF
16 DIRECTORS WILL HAVE AN OPPORTUNITY TO EXPRESS THEIR
17 POSITION.

18 OVERALL THE CUMULATIVE IMPACTS VASTLY OUTWEIGH
19 ANY POSITIVE (INAUDIBLE). THE PROXIMITY OF A MINING
20 OPERATION WITHIN TWO MILES OF THE CITY AND WELL WITHIN THE
21 SPHERE OF INFLUENCE OF A RAPIDLY URBANIZING AREA IS
22 ANATHEMA TO GOOD PLANNING AND WILL JEOPARDIZE THE HEALTH
23 AND SAFETY OF THE RESIDENTS OF SANTA CLARITA VALLEY.

24 MUCH OF THE RESEARCH USED BY THE T.M.C.
25 CONSULTANTS IS OLD AND OUTDATED. PARTICULARLY RECENT
26 CANYON COUNTRY RESIDENTIAL GROWTH IS IGNORED OR MISSTATED.
27 A PROPOSAL FOR A 500-ACRE MINE REMOVING 83 MILLION TONS OF
28 AGGREGATE TO BE POSSIBLY FOLLOWED BY ANOTHER PROPOSAL FOR A

1 1,000-ACRE MINE WOULD DEVASTATE THE REGION.

2 AMONG THE MOST EGREGIOUS EXAMPLES OF NEGATIVE
3 IMPACTS OF THIS T.M.C. PROPOSAL ARE TRANSPORTATION, WATER
4 RESOURCES AND AIR QUALITY.

5 FIRST, TRANSPORTATION. AS CHAIR OF THE
6 TRANSPORTATION COMMITTEE, I RECOGNIZE THAT THE MAJOR
7 CORRIDORS WHICH SERVE THIS VALLEY ARE SEVERELY IMPACTED BY
8 LOCAL AND REGIONAL TRAFFIC FLOW NOW.

9 MS. CAMPBELL: MS. ROBERTS, I'M GOING TO ASK YOU TO
10 PLEASE WRAP UP YOUR REMARKS.

11 MS. ROBERTS: I THINK SHE SAID A MINUTE.

12 MS. CAMPBELL: NO.

13 MS. ROBERTS: I'M SORRY, I WILL WRAP UP.

14 BUT I'M GOING TO SAY THAT THE T.M.C. PROPOSAL
15 USED INSUFFICIENT DATA ON THE TRANSPORTATION METHODOLOGY
16 USED AND WILL NEED TO BE REDONE.

17 WATER RESOURCES WERE DEPENDENT ON THE
18 GROUNDWATER, AND FOR OUR MAJOR SOURCE WE HAVE ONLY A
19 LIMITED ENTITLEMENT FOR ANY ADDITIONAL SUPPLEMENTAL WATER.
20 AND WE NEED TO BE VERY CONCERNED BECAUSE OF THE MATERIALS
21 AND TURBIDITY THAT WOULD CONTAMINATE OUR WATER SUPPLY.

22 AND FINALLY AIR QUALITY. YOU'VE HEARD A LOT
23 ABOUT IT. THE E.I.R. IS GROSSLY INSUFFICIENT IN ITS
24 ANALYSIS OF THE WATER QUALITY. THE CHAMBER OF COMMERCE
25 REQUESTS AN OPPORTUNITY TO TESTIFY AT FUTURE HEARINGS AND
26 WILL BE SUBMITTING DATA TO YOU ON THESE SUBJECTS WITH
27 FURTHER DEFINITION.

28 THANK YOU FOR YOUR TIME.

MS. CAMPBELL: THANK YOU.

MR. RAWLY: I GUESS I NOW HAVE TO SAY GOOD EVENING,
NOT GOOD AFTERNOON ANYMORE. MY NAME IS HUNT RAWLY. I'M A
CONSULTANT FOR THE CASTAIC LAKE WATER AGENCY. GENERAL
MANAGER BOB SAGERUN (PHONETIC) WAS EXPECTED TO TESTIFY THIS
EVENING AND WAS HERE FOR THE FIRST HOUR AND A HALF, BUT HE
HAD A BOARD MEETING THIS EVENING AND HAD TO GO TO THAT.

THE CASTAIC LAKE WATER AGENCY IS A PUBLIC LOCAL
AGENCY THAT IMPORTS STATE WATER FROM NORTHERN CALIFORNIA.
PRESENTLY WE PROVIDE ABOUT HALF OF THE WATER IN THE
COMMUNITY OF THE SANTA CLARITA VALLEY.

OUR INTERNAL INITIAL REVIEW OF THE DRAFT
ENVIRONMENTAL IMPACT REPORT RAISES VERY SERIOUS CONCERNS
ABOUT OUR FUTURE WATER RESOURCES AND THE IMPACTS THAT THIS
PLAN MIGHT HAVE ON IT. THEREFORE, JUST LIKE THE CITY OF
SANTA CLARITA HAS DONE, THE BOARD OF DIRECTORS OF THE
CASTAIC LAKE WATER AGENCY HAS PUT PUBLIC FUNDS TO THE
BENEFIT OF THE COMMUNITY AND HAS HIRED RICHARD SLAYER,
WHO'S A REGISTERED GROUNDWATER HYDROLOGIST, TO DO A
COMPLETE ANALYSIS WHICH WE THINK IS TERRIBLY LACKING IN THE
DRAFT ENVIRONMENTAL IMPACT REPORT TO LOOK AT BOTH THE
IMPACT ON THE GROUNDWATER QUANTITY AND QUALITY.

WE ARE VERY CONCERNED, AND OUR BOARD IS VERY
CONCERNED ABOUT THE POTENTIAL LOSS OF GROUNDWATER IN THIS
AREA, THE IMPACT THIS MINE MIGHT HAVE ON THAT WHICH COULD
LEAD US TO BE REQUIRED TO GET MORE WATER -- IMPORTED WATER
WHICH IS EXPENSIVE AND A VERY INVOLVED PROCESS.

WE WILL PROVIDE THIS DETAILED REPORT BEFORE THE

1 CLOSE OF YOUR DEADLINE IN SEPTEMBER, AND WILL CERTAINLY BE
2 AVAILABLE TO WORK WITH YOUR STAFF TO PROVIDE ADDITIONAL
3 PUBLIC COMMENTS AT FUTURE MEETINGS TO MAKE SURE THAT THE
4 FINAL E.I.R. CORRECTLY AND ACCURATELY, WHICH IT DOES NOT
5 NOW, ADDRESS THE WATER ISSUES.

6 THANK YOU VERY MUCH.

7 42

8 MR. PETER: MY NAME IS NICK PETER. I'M THE ASSISTANT
9 SUPERINTENDENT OF THE SULPHUR SPRINGS SCHOOL DISTRICT. I
10 LIVE IN AN UNINCORPORATED AREA OF THE ANTELOPE VALLEY,
11 ALTHOUGH I HAVE WORKED FOR THE SULPHUR SPRINGS DISTRICT FOR
12 35 YEARS AND MOST OF THAT TIME LIVED WITHIN THE BOUNDARIES
13 OF CANYON COUNTRY.

14 I HAVE A LONG RESUME; NONE OF IT IS PERTINENT
15 SO I'LL SPARE YOU THAT.

16 MS. CAMPBELL: THANK YOU.

17 MR. PETER: AND PROBABLY CAN SAY THAT FOR MOST OF THE
18 THE DISTRICT. I THINK YOU HEARD VERY ELOQUENTLY FROM SOME
19 OF OUR STUDENTS WHAT THE CONCERN OF THE DISTRICT IS. OUR
20 OVERRIDING CONCERN IS THE HEALTH AND SAFETY OF THE STUDENTS
21 THAT WE EDUCATE. AN EARLIER SPEAKER INDICATED THAT THERE
22 WERE 14,000 STUDENTS IN THE NEAR PROXIMITY TO THIS PROPOSED
23 PROJECT.

24 OF THOSE STUDENTS 5,000 OF THEM ATTEND THE
25 SULPHUR SPRINGS SCHOOL DISTRICT IN SEVEN ELEMENTARY
26 SCHOOLS. THOSE SEVEN SCHOOLS ARE THE CLOSEST SEVEN SCHOOLS
27 TO THAT SITE, THE CLOSEST BEING THE PINETREE SCHOOL WHICH
28 IS APPROXIMATELY TWO MILES AWAY.

RIGHTFULLY OR WRONGFULLY OUR DISTRICT BELIEVES

1 THAT THERE ARE PROCESSES AND AGENCIES IN PLACE THAT WILL
2 PROTECT THE HEALTH OF THE STUDENTS IN THE SULPHUR SPRINGS
3 DISTRICT. I WILL TELL YOU THAT OUR BOARD HAS NOT TAKEN AN
4 OFFICIAL POSITION IN OPPOSITION TO THIS PROJECT, ALTHOUGH
5 AFTER TODAY'S TESTIMONY I ASSUME THAT THAT PROBABLY WILL
6 HAPPEN.

7 WE ARE DOUBLY CONCERNED BECAUSE WE HAVE BEEN IN
8 NEGOTIATIONS FOR APPROXIMATELY A YEAR AND A HALF WITH A
9 DEVELOPER FOR A SCHOOL SITE THAT IS DESPERATELY NEEDED IN
10 THAT AREA OF OUR DISTRICT. WE HAVE OVER A THOUSAND
11 STUDENTS ATTENDING PINETREE SCHOOL, WHICH I INDICATED IS
12 ABOUT TWO MILES AWAY. THAT SCHOOL IS ON A MULTITRACK
13 YEAR-ROUND SCHEDULE IN ORDER TO HOUSE THOSE STUDENTS.

14 THE STUDENTS THAT LIVE CLOSEST TO THE PROJECT
15 IN STONECREST ARE BUSED PAST PINETREE A MILE AND A HALF
16 FARTHER DOWN THE ROAD TO SULPHUR SPRINGS SCHOOL THAT HAS
17 850 STUDENTS. AND SO WE ARE DESPERATELY IN NEED OF A
18 SCHOOL SITE. WE ARE, AS I SAY, BEEN NEGOTIATING WITH A
19 SITE THAT IS JUST WEST OF SPRING CANYON, PROBABLY LESS THAN
20 A MILE AWAY FROM THE PROJECT LINE OF SIGHT.

21 AGAIN, WE BELIEVE IN THE PROCESS. YOU'RE AN
22 IMPORTANT PART OF THIS PROCESS. IT IS OUR BELIEF AND OUR
23 HOPE THAT YOU WILL HAVE LISTENED TO THE TESTIMONY THAT
24 YOU'VE HEARD TODAY, THAT YOU WILL CAREFULLY EVALUATE THE
25 INFORMATION THAT YOU HAVE, AND THAT WHEN YOU MAKE A
26 DECISION EITHER FOR OR AGAINST, THAT THAT DECISION WILL BE
27 WITH A CLEAR CONSCIENCE THAT YOU CAN GUARANTEE THE HEALTH
28 AND SAFETY OF OUR STUDENTS AND THAT IT WILL BE NOT AFFECTED

1 BY THIS PROJECT. THANK YOU.

2 MS. CAMPBELL: THAT CONCLUDES THE LIST OF
3 ORGANIZATION SPEAKERS. NOW, I DO HAVE A LIST WHERE PEOPLE
4 SIGNED IN. I'M GOING TO START AT THE TOP OF THAT LIST AND
5 TAKE, I GUESS, THE NEXT TWO SPEAKERS FROM THERE.

6 I HAVE A CHASE BEBAK -- IS THAT CORRECT? I
7 HOPE I'M PRONOUNCING THE NAME RIGHT. OH, YEAH, HE WAS THE
8 BEST SPEAKER OF THE HOUSE.

9 THEN THERE WAS CONNIE -- I'M NOT SURE --
10 WARDBOCK, 2707 -- ALREADY SPOKE?

11 DID CAROLYN DE MOTT -- I THOUGHT SO, BUT I'M
12 NOT SURE.

13 MICHELLE JOHNSON. JOSEPH YORE.

14 MR. YORE: YORE, Y-O-R-E, LIKE THE DAY'S UP, WHICH
15 MEANS LONG AGO.

16 MS. CAMPBELL: PLEASE STATE YOUR NAME AND ADDRESS FOR
17 THE RECORD.

18 **43** MR. YORE: FIRST I WANT TO THANK ALL THE PEOPLE FOR
19 BEING HERE. THIS IS FABULOUS. I WISH SOME OF THESE PEOPLE
20 WOULD SHOW UP FOR SOME OF THE ENVIRONMENTAL GROUPS WE HAVE
21 UP IN THE ANTELOPE VALLEY THAT ARE VERY DANGEROUS TO ALL OF
22 YOU PEOPLE OUT HERE IN SANTA CLARITA. AND THEY SPOKE THE
23 TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, AND THE
24 PLANNING DEPARTMENT AND B.L.M. THAT DIDN'T SHOW UP, AND
25 YOU'RE GOING TO HAVE ANOTHER MEETING IN SEPTEMBER THAT
26 SHOULDN'T BE.

27 MY NAME IS JOSEPH YORE; I'M AN ACTIVIST.

28 MS. CAMPBELL: YOUR ADDRESS FOR THE RECORD, PLEASE?

1 MR. YORE: JOSEPH YORE. I HAVE AN OFFICE AT
2 HOLLYWOOD AND VINE. I'M AT PALMDALE, 38753 26TH STREET
3 EAST. I'M AN ACTIVIST; I FIGHT A LOT OF ENVIRONMENTAL
4 THINGS. YOU MAY HAVE ME IN YOUR FILE DOWN IN LOS ANGELES.

5 MS. CAMPBELL: YOU'RE IN MY FILE ALL RIGHT.

6 MR. YORE: YEAH, I FOUGHT THE TUNNELING UNDER
7 HOLLYWOOD WHICH COST 8 BILLION DOLLARS. I WAS ON 60
8 MINUTES, ONE OF THE PEOPLE. THEY CALLED THAT THE
9 NORTHRIDGE EARTHQUAKE WHICH SHOULD HAVE BEEN CALLED THE
10 HOLLYWOOD EARTHQUAKE.

11 THE MAN WAS UP HERE EARLIER SPEAKING. HE SAID
12 HIS WELLS WENT DRY. HE SHOULD HAVE BEEN DOWN THERE
13 FIGHTING THAT ENVIRONMENTAL IMPACT FOR THAT TUNNELING UNDER
14 HOLLYWOOD. WHEN THEY DRAINED THE WATER OUT FROM UNDER
15 HOLLYWOOD BOULEVARD, WHICH WAS A WHOLE LAKE OF WATER, IT
16 AFFECTED ALL THE PEOPLE OUT HERE IN THE ANTELOPE VALLEY,
17 SANTA CLARITA. DROPPED YOUR WELLS 25 FEET, AND SOME WELLS
18 WENT DRY.

19 NOW TONIGHT NOBODY SPOKE ABOUT THE
20 EARTHQUAKES. THE NEW EARTHQUAKE FAULTS THAT RUN THROUGH
21 THERE, THEY'RE A MAJOR EARTHQUAKE FAULT THAT RUNS THERE,
22 AND TWO OTHER EARTHQUAKE FAULTS THAT RUN THROUGH THERE.
23 NOW, WHEN YOU DYNAMITED UNDER HOLLYWOOD BOULEVARD WAY DOWN
24 UNDERNEATH IT, THAT CAUSED THE NORTHRIDGE EARTHQUAKE THAT
25 SHOULD HAVE BEEN CALLED THE HOLLYWOOD EARTHQUAKE.

26 NOW, YOU HAVE 200 -- NOBODY SPOKE ABOUT WHAT'S
27 HAPPENING DOWN IN THE ANTELOPE VALLEY. YOU'RE GOING TO
28 HAVE 250 TRUCKS COMING DOWN ANTELOPE VALLEY -- DOWN-14

1 BECAUSE MICHAELS IS GOING TO OPEN UP THERE AND RITE AID IS
2 GOING TO OPEN UP THEIR CORPORATION. THIS CORPORATION JUST
3 DIDN'T START -- THIS DIDN'T START JUST THE OTHER DAY.

4 NOW, YOU'RE GOING TO HAVE SCHOOL BUSES GOING
5 OUT THERE. NOW ALL THE WAY UP THROUGH THERE YOU HAVE NO
6 GUARDRAILS. I'VE BEEN FIGHTING THE GUARDRAILS ON 14 FOR
7 YEARS. AND RECENTLY YOU HAD SIX SCHOOL KIDS GO OVER THE
8 SIDE OF THE MOUNTAIN, TWO OTHERS IN AN ARMORED TRUCK. AND
9 WHEN I WROTE AND CALLED CAL TRANS SAYING, HEY, YOU MURDERED
10 THESE PEOPLE, THEY SAID, WELL, WE PUT SOME NEW GUARDRAILS
11 UP IN YOUR AREA, BUT THERE'S STILL NO GUARDRAILS UP HERE.

12 NOW, YOU HAVE NO GUARDRAILS GOING UP THAT AREA
13 UP THERE; YOU DON'T WANT NO SCHOOL BUS TO GO OVER THAT AREA
14 OVER THAT SIDE OF THAT MOUNTAIN KILLING A BUNCH OF KIDS.
15 AND YOU PEOPLE WILL BE RESPONSIBLE JUST LIKE CHARLES
16 MANSON.

17 I KNEW CHARLES MANSON. HE DIRECTED -- WAIT A
18 MINUTE, WAIT A MINUTE, WAIT A MINUTE. CHARLES MANSON --
19 WAIT A MINUTE. I KNEW CHARLES MANSON. LET ME SPEAK,
20 PLEASE. I KNEW CHARLES MANSON. HE DIRECTED -- HE
21 DIRECTED -- HE DIRECTED THOSE MURDER CASES. OKAY? HE WAS
22 NOT INVOLVED. HE WAS NOT INVOLVED.

23 MS. CAMPBELL: I'M SORRY, MR. YORE, YOUR TIME IS UP.

24 MR. YORE: NOW, THE B.L.M. AND THESE PEOPLE UP
25 HERE --

26 UNIDENTIFIED SPEAKER: YOUR TIME IS UP, SIR. YOUR
27 TIME IS UP.

28 MR. YORE: THEY WOULD BE RESPONSIBLE.

1 MS. CAMPBELL: I APOLOGIZE. WE DON'T HAVE TIME.
2 WE'RE REALLY OVERTIME, BUT WE'LL TAKE ONE MORE SPEAKER.
3 DINA PROFFER.

4 **44** MS. PROFFER: THAT'S A HARD ACT TO FOLLOW, BUT I'LL
5 TRY. I'M DINA PROFFER OF AGUA DULCE, 33233 CANYON QUAIL
6 TRAIL. AND I'M AN ELEMENTARY SCHOOL TEACHER.

7 I REMEMBER TEACHING IN BURBANK, GLENDALE AND
8 PASADENA IN THE LATE EIGHTIES AND THE NINETIES WHEN SMOG
9 ALERTS FORCED THE CHILDREN TO REMAIN INSIDE FOR P.E.,
10 RECESS AND LUNCH, AND THOSE CITIES DON'T EVEN HAVE MINES.
11 THAT IS THE FUTURE FOR THE CHILDREN OF AGUA DULCE
12 ELEMENTARY SCHOOL AND OTHER CHILDREN IN THE ANTELOPE AND
13 SANTA CLARITA VALLEYS IF YOU ALLOW THE PROJECT TO
14 COMMENCE.

15 PLEASE DON'T IMPRISON THE CHILDREN IN THEIR
16 CLASSROOMS AND THEIR HOMES BY CONSENTING TO THIS PROJECT.
17 THANK YOU.

18 MS. CAMPBELL: THANK YOU. THANK YOU ALL FOR COMING.
19 THANK YOU FOR YOUR TESTIMONY. AT THIS TIME OUR NEXT AGENDA
20 ITEM IS --

21 UNIDENTIFIED SPEAKER: SEPTEMBER 22ND.

22 MS. CAMPBELL: I'M SORRY, WE NEED TO -- DO YOU WANT
23 TO MAKE A MOTION WITH RESPECT TO THIS ITEM?

24 MR. PEDERSON: AT THE NEXT MEETING.

25 MS. CAMPBELL: OKAY. THE NEXT MEETING IS --

26 MR. PEDERSON: SEPTEMBER 22ND.

27 UNIDENTIFIED SPEAKER: WOULD YOU LIKE TO MAKE A
28 MOTION TO CONTINUE?

1 MR. PEDERSON: YES. I MOVE TO CONTINUE THIS HEARING,
2 KEEP IT OPEN UNTIL SEPTEMBER 22ND AT WHICH TIME IT WILL BE
3 OPENED AT 9:00 A.M. IN THE HALL OF RECORDS.

4 UNIDENTIFIED SPEAKER: I'LL SECOND THAT MOTION.

5 MS. CAMPBELL: OKAY, IT'S BEEN MOVED AND SECONDED,
6 AND WE'LL CONTINUE THIS PUBLIC HEARING UNTIL SEPTEMBER 22ND
7 AT 9:00 A.M. IN DOWNTOWN LOS ANGELES AT THE HALL OF
8 RECORDS. ALL IN FAVOR?

9 MR. CULBERTSON: AYE.

10 UNIDENTIFIED SPEAKER: AYE.

11 UNIDENTIFIED SPEAKER: ONE QUESTION, MADAM CHAIR. IS
12 THAT 9:00 A.M. OR 9:30 A.M.?

13 MR. PEDERSON: I SAID 9:00 A.M. BECAUSE THE FACT THAT
14 I WANTED PEOPLE THERE IN TIME MORE THAN THE TIME WHEN IT
15 STARTS.

16 MS. CAMPBELL: SO THE MOTION CARRIES FOR SEPTEMBER
17 22ND AT 9:00 A.M.

18 NEXT ITEM ON OUR AGENDA WAS PUBLIC COMMENT
19 PURSUANT TO SECTION 54954 OF THE GOVERNMENT CODE. ANYONE
20 WISHING TO SPEAK ON SOMETHING OTHER THAN THE ITEMS THAT
21 WE'VE HEARD TODAY?

22 SEEING NONE, THIS MEETING IS ADJOURNED.

23
24 (THE PROCEEDINGS WERE CONCLUDED AT 7:05 P.M.)

25 ///

26 ///

27 ///

28

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, JOLYNE K. ROBERTS, C.S.R. 10823, CERTIFIED
SHORTHAND REPORTER FOR THE STATE OF CALIFORNIA, DO HEREBY
CERTIFY:

THAT SAID PROCEEDINGS WERE TAKEN BEFORE ME AT
THE TIME AND PLACE THEREIN STATED AND WAS THEREAFTER
TRANSCRIBED INTO PRINT UNDER MY DIRECTION AND SUPERVISION.
AND I HEREBY FURTHER CERTIFY THAT THE FOREGOING TRANSCRIPT
IS A FULL, TRUE AND CORRECT TRANSCRIPT OF MY SHORTHAND
NOTES SO TAKEN.

I FURTHER CERTIFY THAT I AM NOT OF COUNSEL NOR
ATTORNEY FOR EITHER OF THE PARTIES HERETO OR IN ANY WAY
INTERESTED IN THE EVENT OF THIS CASE AND THAT I AM NOT
RELATED TO EITHER OF THE PARTIES HERETO.

WITNESS MY HAND THIS 18TH DAY OF AUGUST, 1999.


Jolyne K. Roberts
JOLYNE K. ROBERTS, CSR 10823

1 CERTIFIED COPY CERTIFICATE

2
3
4 I, JOLYNE K. ROBERTS, CERTIFIED SHORTHAND
5 REPORTER, NO. 10823, DO HEREBY CERTIFY THAT THE ATTACHED
6 TRANSCRIPT IS A CORRECT AND CERTIFIED COPY OF THE
7 PROCEEDINGS TAKEN BEFORE ME ON JULY 14, 1999, AS THEREON
8 STATED.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE
10 FOREGOING IS TRUE AND CORRECT.

11
12 EXECUTED AT COVINA, CALIFORNIA, THIS 18TH DAY
13 OF AUGUST, 1999.

14
15 
16 JOLYNE K. ROBERTS
17 C.S.R. NO. 10823
18
19
20
21
22
23
24
25



MAILING ADDRESS:
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COVINA, CA 91723

(800) 242-1996
FAX (626) 915-0197

BEFORE THE REGIONAL PLANNING COMMISSION
FOR THE COUNTY OF LOS ANGELES

IN THE MATTER OF:)
SURFACE MINING PERMIT 91-165-(5))
TRANSIT MIXED CONCRETE COMPANY)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012
ROOM 150

WEDNESDAY, SEPTEMBER 22, 1999
9:30 a.m. - 12:30 p.m.

REPORTED BY:

JANE HONG

C.S.R. NO. 11975

JOB NO.: 55384

Pages 1-42

CORPORATE OFFICE: Eastland Securities Bldg. • 599 S. Barranca Avenue • Penthouse • Covina, CA 91723

IRVINE
Jamboree
Center

LOS ANGELES
Broadway
Plaza

ONTARIO
Pacific
Office Center

PALM SPRINGS
Wells Fargo
Bank Building

SAN BERNARDINO
Vanir
Tower

SAN DIEGO
Emerald
Shapery Center

REGIONAL PLANNING COMMISSION HEARING 9-22-99

1 LOS ANGELES, CALIFORINA, WEDNESDAY, SEPTEMBER 22, 1999

2 -oOo-

3 9:30 a.m.

4
5 MS. FELDMAN: County of Los Angeles Regional Planning
6 Commission now in session. Wednesday, September 22nd, 1999.
7 Good morning.

8 MS. HOLT: A couple of things. Next week we have issues
9 on pending orders including R. R. L. zone and the tree
10 preservation. Again, we'll be on that. The other I thing
11 wanted to discuss this morning is your schedule or the for the
12 rest of the year. I want to remind you that the week of
13 Thanksgiving we have Wednesday closed. That is all right.
14 Also, the week of Christmas, December 22nd, we want to find
15 out if you intend to hold meetings that week or not.

16 MS. FELDMAN: Cancel those meetings of December 22nd and
17 December 29th. Do we need a motion to do that?

18 MR. TOY: Aren't those already dark weekends?

19 MS. HOLT: Yes.

20 MS. FELDMAN: Motion in favor? Okay thank you. And the
21 Directors reports. Do you have a report.

22 STAFF: This morning.

23 MS. HOLT: There were a couple of reports on the
24 workshop. On the January 2nd, with a hearings on February
25 23rd. And we'll be scheduling that the first week of February
26 or -- prior to that workshop.

27 MS. FELDMAN: Okay. I'd say like to move -- I want to
28 move the public hearings closer to the possible workshop

1 instead of six weeks.

2 MS. HOLT: Thirty days is the absolute closest.

3 MS. FELDMAN: Okay.

4 MS. HOLT: We can shorten it by one week.

5 MS. FELDMAN: Would be great. When is the tree order?

6 MS. HOLT: On January 2nd.

7 MS. FELDMAN: November 21 --

8 MS. HOLT: And Ray said next week we'll be giving you a
9 status report on what we find out.

10 MS. FELDMAN: Okay. And will you be able to give us a
11 copy of what you're working on in connection and distinctions
12 with the others more than a week in advance?

13 MS. HOLT: That will be the plan. Thursday.

14 MS. FELDMAN: That will be great. Thank you very much.

15 MS. HOLT: In anticipation of next week's schedule, I do
16 have a question. The meeting of the 22nd. What is on that
17 agenda?

18 MS. FELDMAN: 22nd of which month?

19 MS. FARGO: November.

20 MS. HOLT: On this R. L. zone and Infield as well as on
21 some of the planning acts, I have those that are coming up. We
22 want to be briefed in anticipation.

23 MS. FARGO: Of the planning items

24 MS. HOLT: Yes.

25 MS. FELDMAN: I suspect most of them will be getting tree
26 ordinances again.

27 MR. PEDERSON: I move to approve under 98 dash 14399094.

28 MS. FARGO: Second.

REGIONAL PLANNING COMMISSION HEARING 9-22-99

1 MS. FELDMAN: Let me ask Mr. Toy, unless -- are there
2 changes or any -- do we need to 89 one motion?

3 MR. TOY: I don't have a problem with that putting in all
4 conditions, the commission has asked me to do, so with that in
5 mind ma'am chair, I make a motion for the approval on items
6 number 98 dash 114 and item number 99 dash 023, items 99 dash
7 001.

8 MS. FARGO: 006.

9 MR. TOY: 006: And 98 dash 147.

10 MS. FARGO: I'd like to make a comment on item numbers 8
11 and 9. We talked about it being being ours for the
12 commencement of alcohol and just for the record I'd like to
13 point out that at 11 names -- so in the future, when you're
14 talking about --

15 MR. TOY: I didn't think the people had a problem at 11.

16 MS. FELDMAN: Motion on the second? All in favor?
17 Motion carried. Now move to public hearings on 91 dash 165.

18 STAFF: Item number 11, the continued public hearing on
19 91 dash 165.

20 STAFF: Once again, the applicant is Transit Mixed
21 Concrete Company and they operate with permit on 500 acres on
22 Soledad Canyon Road. And the project is located at 12101
23 Soledad Canyon Road, within the unincorporated county area.

24 As you know, the commission on July 14, 1999 heard public
25 hearings out in the Santa Clarita area at Valley High School.
26 And there was probably 500 or 600 people in attendance. The
27 commission heard probably 40 or 50 speakers. Those people
28 represented a variety of different community groups in the

1 city of Santa Clarita and other organizations. So then, we
2 would be continuing testimony. Unless the commission likes to
3 modify the order of speakers.

4 MR. PEDERSON: I've already spoken to the chair and we
5 are going to bring on the opposing people who have not
6 testified today or those who may wish to add something to
7 their testimony, the order would be if there's any elected
8 officials we would like to take them first. And then those
9 representing a number of people. When the chair asks you to,
10 come up and you'll just come up two at a time and the rest of
11 you can -- two at a time take the chair.

12 MS. FELDMAN: How many elected officials are in
13 attendance? Would everybody who wishes to be testified,
14 please rise to be sworn.

15 MR. PEDERSON: That would include the applicant.

16 STAFF: Would each of you please raise your right hand.
17 Do each of you solemnly swear or affirm to tell the truth, the
18 whole truth and nothing about the truth, so help you God?
19 Please be seated. First speaker may approach to testify.

20 **1** SPEAKER: Good morning honorable commissioners. My name
21 is Marian Jones I live in Santa Clarita. I'd like to give my
22 thanks to you for extending the public comments for DEIR and
23 providing an opportunity for all concerned to provide input
24 into this tremendously important issue.

25 The city continues to receive letters and phone calls
26 from city residents, as well as residents from the
27 unincorporated communities. We know that the L.A. County
28 Department of Regional Planning has received hundreds of the

1 letters, including a petition I was told that contained 500
2 names. The city urges you to carefully consider this document
3 prior to making your final decision. Since the release of the
4 DEIR in March, the city has commissioned two letters
5 containing our concerns. One of which contained a quantitative
6 analysis conducted by a variety of environmental experts.

7 In this analysis, it substantiated the city's concern
8 regarding air quality, land use, geology, noise, traffic and
9 water, among other issues. The city understands that the
10 county is committed to protecting the preservation of the
11 county. And that you are faced with the very complex project
12 and process.

13 Please let our city know if our city, if the city of
14 Santa Clarita can provide you with any further assistance. I
15 am here. We are ready and willing to assist in whatever way
16 possible. I would like to offer a quote from a 1990 report,
17 our conversion rests with the fundamental law that neither man
18 or nation can prosper, unless in dealing with the present that
19 they steadily take to the future. With that, I would like to
20 ask you to turn down their project. Thank you.

21 MS. FELDMAN: Thank you. Do we have two speakers ready?
22 And next person? Please make sure you sign in.

23 SPEAKER: This is -- I don't have my glasses.

24 MS. FELDMAN: We need your name.

25 SPEAKER: On Monday, September 13 --

26 MS. FELDMAN: Sir we need your name for the record.

2

27 SPEAKER: James Desk, I live at 9303 Old Stage Road, Agua
28 Dulce. On Monday, September 13, we gave you documentation on

1 the Transit Mix Project. On Wednesday, September 15, we
2 delivered seven copies of that document. One to each of you.
3 and 23 for your staff. That involved -- dealt with a lot of
4 information to read and absorb. We hoped you had time to read
5 the document and we appreciate your time.

6 The project as proposed by the DEIR is 86 million ton
7 excavation of 56 million tons of matter. The scope of the
8 mining, as we understood, says -- it says, is really a lot of
9 product. That will be relocated into Sector B-12. Sector B2 of
10 the designated area of Transit Mix Project. The county area
11 essential is 186 acre site, that settles over adjacent water.
12 The environmental effects described in the DEIR, regarding
13 sand, concrete, will neither be improved or maintained. And
14 regional traffic and air quality, will also be impacted. The
15 environmental documents produced by the DEIR substantiated the
16 liability of the project and inaccurately described what
17 mining conditions impact will actually have. Please review our
18 entire document provided to you last week and understand as we
19 have to understand how this project will be the first in many
20 mining projects to turn soledad Canyon Road into a mining
21 area.

22 Please read the document presented to you. Putting the
23 mine on the scale would be death to Soledad Canyon.

24 Thank you.

3

25 SPEAKER: Good morning commissioners. My name is David
26 Weary. I'm member on the Acton town counsel. I live at 35225
27 Via Famero Drive, Acton. 93510. I have lived in Acton for ten
28 years and I am here to represent the view of or community to

1 L.A. County. However Acton wasn't formerly notified in this
2 process. It is apparent everybody felt that we would not be
3 impacted. This goes for the truth, although our community of
4 Acton is located some distance from the TMC project; we have
5 concerns of such project opening in our community.

6 Light breezes that drive through the canyon commence
7 down, as they funnel through the valley, anything in the way
8 of dust, smog, et cetera, they come from the east and this
9 time they are picking up the previously deposit the particles
10 and any new disturbances in the area. And these particles land
11 in parks and other land in the Santa Clarita Valley and
12 beyond. Our community had Valley Fever and other infections.

13 The nearest park was located west of this project, one
14 mile away, downwind. Acton and the rest of the Soledad Canyon
15 will be impacted. TMC to the DEIR in section 3, page 157,
16 acknowledge this.

17 Our concern deals with the increased truck traffic safety
18 and the associated maintenance problem along the Soledad
19 Canyon Road and our local roads. Soledad Canyon Road is a two
20 lane highway that winds past a number of campgrounds, a wild
21 animal preserve, an elementary school and a portion of Acton.

22 Within close proximinty to the mining site, traffic
23 safety narrows down and road maintenance is a major concern of
24 our local commuters. Visual inspections reveal numerous tire
25 patches and potholes. Last year an 18 wheeler overturned, and
26 went through a guardrail and landed in the river's end.

27 We are also concerned that the loaded trucks running
28 along the steep grade in conjunction with the 14 Freeway will

1 impact local residents picking up and dropping off children.
2 We predict that a major accident will result.

3 Finally the water needs for this project would be a line
4 on the entire Santa Clarita drainage. TMC projected in Phase
5 1, would consume 198 acres or 160 -- oh, I'm sorry. 160
6 million gallons a year. Phase 2 is approximately 243,121,400
7 gallons per year. A report of the Regional Group Water
8 Assessment, in a survey prepared for the California Region by
9 the University of California at Fullerton, department of
10 geological sciences, reported that portion of the Santa
11 Clarita River, and Bouquet Canyon is of generally poor water
12 quality. However, they did not indicate any high levels of
13 elements in 1975. Lower quality run-off, may be the reason.

14 This is just another project standing in line to rape
15 and pillage the community. One hundred years of contamination
16 area, and trucks; this will go into the next millennium.

17 We are urging you to please say no to this project.

18 MS. FELDMAN: Are there any other persons wishing to
19 speak? And if you would please, make sure not to repeat what
20 the prior testifier have said.

21 **4** SPEAKER: My name is Mary Funk, and I reside at 27246
22 Garza Drive, Santa Clarita, California 91350. I'm a 35 year
23 resident of the Valley and I have four grown daughters, three
24 who reside there. And I am chairman of the governmental
25 commission for the South Realtors Association. I am here to
26 speak on behalf of the president and the 600 realtors in the
27 Santa Clarita and San Fernando valleys.

28 We have gone on record with the county in opposing the

1 surface mining project heard here today. I am here to talk
2 about saving the environment and to talk about the obvious
3 health hazards and other social concerns that others have
4 verbalized here today.

5 As the voice for real estate, our local association of
6 realtors oppose this local mining produce because its negative
7 impacts on real estate property values. We presently
8 predicting consequences on real estate, not only in our
9 community of homeowners in the Santa Clarita valley but also
10 the surrounding area which would include Acton, and Castaic.

11 This huge project would jeopardize property values and
12 would rob the equity that is that homeowners have as to their
13 residences. No amount of litigation by TMC and would cause
14 them to suffer. This mining project, will affect homeowners,
15 and schools. Homeowners and schools may face the possibility
16 of being denied property insurance because of the potential
17 adverse effects of the project. And consequent damage to
18 properties. Peace and traffic, I feel, in one's home will be a
19 thing of the past if this mining project goes in effect seven
20 days a week for the next 20 years. The negative effects of
21 this project, if approved, will be far-reaching. And real
22 estate prices will be dropping in this area. Disclose,
23 disclose, disclose is a big part of the real estate business
24 and this mining project has to be disclosed to potential
25 buyers. It will effect property for the federal government and
26 this mining -- this applicant should not be placed above the
27 importance of the homeowners' rights. To do so would seriously
28 infringe on the rights of the homeowner.

We recognize the importance of balance. The community lives with the needs of local economic which includes a job housing balance. TMC's proposed mining project does not fit into this balance. At this time, I would like to defer my remaining time to Nancy Starzyk. Thank you.

5 SPEAKER: My name is Nancy Starzyk, I live at 2712 Sierra Highway. Santa Clarita. 91351. Good morning. I would like to know of the realtors and homeowners in the Santa Clarita Valley who publicly support our strong opposition to this huge mining project. I would like the commission to recognize them. So the realtors and homeowners would you please stand and be recognized at this time?

Everybody standing here with me are opposed to bringing a surface mining project of this magnitude to our valley. We are in our neighborhoods everyday. We talk to people on the streets everyday. And we are visiting them in their homes every day. Consensus of our community is that this project would negativelt impact homeowners. And with that, we urge please, vote no to this mining project. We at the very much for your consideration.

MS. FELDMAN: Any others, please come forward.

6 SPEAKER: Good morning. My name is Diane Terito. I live at 33450 Trail Ranch Road, Agua Dulce California 91350. I am the chair for the Agua Dulce Associate, in conjunction with the Agua Dulce chamber of commerce. You're aware that we submitted a 15 page report to this TMC project that took eight months to research. And our work isn't finished yet. Work was done by volunteers of whom had no formal training in protocol

1 or any political training. We have, however done our homework,
2 as our timeframe would allow. We have come up to speak on the
3 multitude of issues involved. We have tried to deal purely
4 with the impact it would have on the community and on the
5 property, and the residents and the surrounding areas. Jim
6 Duziak had provided you with the synopsis of his property. He
7 has sin sent you copies of the fundamentals of questions and
8 answers.

9 After all the pages provided to the state, after all the
10 letters, we are still left with questions of significance.
11 One, did the Bureau of Land Management and the Transit Mixed
12 Company create two legal buying contracts under the federal
13 code? Two, the process to designate significant construction
14 in the region began back in 1987. And was finalized in 1994.

15 Over the 12 years, why didn't TMC manage the limitation
16 of the Santa Clarita valley area? Does TMC wish to build a
17 street wasteland in the midst of the residential communities
18 which existed in the area, the land on which they propose to
19 mine? And did TMC in the State of California have identified
20 a resource of 1 billion 500 million tons of aggregate resource
21 which is Soledad Canyon. TMC produce -- would produce 56.1
22 million tons in the Agua Dulce quarry. TMC denies that their
23 project would effect air quality, traffic and road services
24 and the environment. Safe living today for the future
25 generations and the property values in the area would
26 diminish.

27 We ask you not to help them. And we ask you to help
28 stand up for homeowners. This project would be an

1 environmental contradiction.

2 Thank you very much for your time.

3 MS. FELDMAN: Please hold your applause. I know there's a
4 lot of sentiment. Next speaker?

5 **7** SPEAKER: My name is Chrys Hamper. I live at 2670
6 Cashmere Canyon Road, Acton, 93510. Everybody here will tell
7 you about dust, traffic, property values. Let me tell you
8 about Acton. Acton is a jewel in the desert. We enjoy very
9 little traffic, smog, little noises. All of those things
10 associated with living in the city. Some of our residents
11 commuted as much as 60 miles one day, five days a week to live
12 in Acton; this to preserve the Jewel in the desert. Acton town
13 counsel has spent hundreds of hours an on L.A. County
14 community standards. These standard prohibit the use of
15 outside lighting, billboards, regulate proper lot sizes and
16 much more. These are some of the things we cherish, to live in
17 the community. How many communities do you know of with no
18 stop slights and four stop signs? Don't allow this tiny Jewel
19 to be crushed by the advances of rock mining.

20 Thank you.

21 **8** SPEAKER: Good morning. I'm Bonnie Schiif, S-c-h-i-i-f. I
22 live at 14208 West Sequoia Road, Canyon Country, California
23 91351. I will be addressing the issues of health, environment,
24 water uses and traffic.

25 You have heard it all over and over again. Instead I
26 would like to reflect to the TMC and I publicly feel has no
27 concern for our community, the environment, the water usage,
28 the health issues, or the traffic concerns. I have suffered

1 with this phase since April 21st. And I heard Mr. Mast
2 speaking out on behalf of his company. Not once did we hear
3 him say or ask what TMC could do if this project would happen
4 and of his concerns for these problems. Nor has he asked to
5 negotiate with the community. Nor has he responded to my
6 letter. He has stated in the neighborhoods, even if the board
7 commission denies the permit, he will be proceeding with the
8 proposed mine project.

9 Again, absolutely no concern for the community. Ten years
10 ago, why wasn't this project already started? Was it not
11 profitable for his company then? Now, that the area's grown,
12 is it in need of concrete? But going ahead with this project,
13 Mr. Mast, you are like a snake in the grass. On April 21st,
14 you slithered in for the kill and tried to slither out without
15 getting noticed. Well, guess what? We are the owls of the
16 night and we will do whatever to rid you from our
17 neighborhood. I implore the board members not to issue
18 TMC -- to vote no to TMC. Thank you.

19 MS. FELDMAN: Next speaker?

9

20 SPEAKER: May name is Nancy Miller. 29249 North Sequoia
21 Road, Canyon Country California 91351. I don't want to
22 continue with the problems with traffic and health and
23 everything. I think that the question here is, is this the
24 right company to allow the mining to happen?

25 You have to look out for the needs of the community, as
26 well as the county here. And I think this company has shown
27 very little trust on a deal like this. The first thing they
28 said they would pay for the roads to be straightened and

1 widened, Soledad Canyon. Their response was that's not our
2 problem. It's the county's problem. However, problems produced
3 as a result of their using it, means they have to pay for it.
4 If that's why they have to pay for the position of the freeway
5 interchange. Now, the right -- now there's no need for the
6 road to be straightened and widened because it is just a two
7 lane road that goes -- that is used by the commuters. Now
8 there are no 18 wheelers. But, still they're trying to save a
9 buck. Someone suggested that they look into railroad lines and
10 of course, it's the same problem. The cost for them to buy the
11 rights to haul their product on rail lines, which 50 percent
12 of their product is going out of the area. But they will not
13 cut a deal in order to save truck traffic.

14 By describing the railroad rights with neighboring
15 property owners, I think this indicates that this company's
16 just out for a bottom line. They're not concerned for the
17 people who live there. And in 20 years they're going to go
18 out. That's all they care about. Any indication is in the is
19 the best environmental alternative. They said we won't do it.
20 We will not. That is not a company that we need to be dealing
21 with here, to be allowing to produce in our area. If they do
22 not do it, there will be other people. We need this resource.
23 But with a company that will do everything that the community
24 needs which are the concerns about using the rails, the amount
25 of trucks, about doing things not 24 hours a day. There is
26 a -- you heard health complaints already.

27 MR. PEDERSON: Ma'am chair, I observed that several
28 people were testifying after the oath was given. I think it

1 would be appropriate that we give the -- that we swear them
2 in too at this time.

3 STAFF: Do each and every one of you solemnly swear or
4 affirm to tell the truth, the whole truth and nothing butt
5 truth, so help you God?

6 MS. FELDMAN: Thank you.

7 SPEAKER: My name is -- my name is Jenny Larsen. I live
8 at 14215 West Everglades Court, Canyon Country, 91351, in the
9 Stone Crest.

10 **10** My name is Jenny Larsen and I am here because I am a
11 mother. I live for my husband and my two small children a mile
12 and a half from the proposed TMC mining project. We moved here
13 a year and a half going to live in a safe place, to
14 participate in sporting events, play outside with friends and
15 grow up happy and healthy. Now, that dream is in jeopardy
16 because of the proposed TMC mine project. Both my husband and
17 I see the negative impact on the air quality. Who would be
18 responsible for the air quality in the community and close
19 down the mine operation? TMC would be responsible for the air
20 quality.

21 There was an article in the L.A. Times conducted by the
22 USC School of Medicine which spoke on the long term health
23 effects on children. Already, there five elementary schools
24 within a five mile radius of the proposed site. And 11 miles
25 away there are many other schools. Please think about issues
26 such as air quality, and the health issues due to airborne
27 contaminates before a project of this size is considered.

28 Traffic will be drastically impacted. TMC, just remember,

1 the children and that there are three elementary schools
2 within a mile and a half away.

3 SPEAKER: Stuart Larsen, 14215 West Everglades Court,
4 Canyon Country, California, 91351.

5 Paid consultants offered their opinions on the proposed
6 mine. In that letter to the personnel, they contend that that
7 mine would be adverse to the neighborhoods and the
8 environment. Following our response to the letter, they said
9 that the section within the area had been improving in the
10 last few years. And indeed, this is wonderful news. But what
11 better way to completely reverse that trend then to approve a
12 20 year operation like this mine? What logic would that
13 possibly make? In fact, it's guaranteed to make it worse.

14 Another point he talks about is rule 430 which
15 establishes that the best available control measures must be
16 taken to abate the future dust emissions.

17 I would be asking you to please be reasonable and listen
18 to the letter that I have quoted. The overall effect necessary
19 of the mitigation measures is still likely to be limited. Even
20 a mitigating impact on the regional area will remain. In these
21 regional areas, air quality will be contaminated from the
22 project site.

23 Please do not play their game. No matter how much
24 litigation TMC engages in, it does not change that fact. Thank
25 you.

26 MS. FELDMAN: Next speaker please.

27 **11** SPEAKER: Rick Scuderi. I live at 28980 Gladiolus Drive,
28 Canyon Country, California, 91351.

1 I would like to speak about the unpredictability of the
2 winds. The winds increase from -- would pick up to 60 miles
3 per hour in a matter of three, four, five, six, minutes. By
4 that time dust and other toxins would filter through our
5 community, especially during the Santa Ana seasons. But it's
6 very often. And less so in other periods during the year.
7 Particularly at that previous.

8 **12** SPEAKER: My name is Lynn Baida. I live at 14210 West
9 Everglade Court, Canyon Country.

10 I would like to discuss the financial aspects of this
11 project. First, the increased price of a house. According to
12 the TMC the cost of a house would increase if they are to
13 truck the aggregate in from Palmdale. TMC is trying to scare
14 us with the truth of -- what they estimate to be the truth. It
15 is not totally the truth. While the truth is aggregates were
16 trucked in from Palmdale, the average price of a \$400,000 home
17 would only increase by about \$10,000, according to testimony
18 presented the by Transit Mix Company, TMC would be paying the
19 Bureau of Land Management \$26 million over a 20 year period.
20 There are 78 existing homes in the Stone Crest vicinity with
21 an additional hundred homes before your commission. This is a
22 total of 178 homes within two miles of the proposed mine.

23 They will suffer the greatest impact to their health, air
24 quality, and water by this project. There are 600 homes in
25 the planning stages. Average L.A. County homes is in excess of
26 4000. On average, 600 homes are created at \$900,000 a year.
27 That is at grand total for the 20 years. If this project is
28 approved, the planner and the investors will pull out.

Existing property values will be lowered. L.A. County residents will be lost. This project is not making any financial sense to the local economy.

Would you please, with the voice of the community, please vote no on this project.

Thank you for your time and consideration.

MS. FELDMAN: Next speaker?

13

SPEAKER: Gary Kodel, 29262 Marilyn Drive, Canyon Country.

I am a family physician in the area of Canyon Country and I take care of a lot of children and adults who suffer from asthma. I am concerned about the small particles dust. I've seen a number of truck --, pieces of debris that end up in the air. As a family physician, I understand more people with health concerns and especially of the people or families who suffer from asthma. I want to relate that to you.

Lately, more and more people are suffering from asthma or asthma related health effects. And children are reacting to particles, dust, and to elements in the area. And people are having a relapse of certain disease that are causing tremendous loss of time from school, for children and a tremendous number of families to -- and a tremendous number of adults to be absent from work. Many families need to be on a variety of different medicines. And this, I'm afraid, will be increasing if such a project is proposed.

If in fact it is approved, my concern is that more of my patients, especially the ones who live near the site, will suffer even greater consequences than asthma which will mean

1 greater loss of time in working for the care for their
2 children who have asthma, the consequence of medication in
3 schools. There is -- and the enormous cost of medication. My
4 job is to help people get healthy. This is my job. This is my
5 job as a physician. I don't want to see something in the
6 environment that can harm my patients.

7 Thank you.

8 MS. FELDMAN: Please hold your applause. We have asked
9 before. Thank you. Next speaker?

10 **14** SPEAKER: Jack Williams I live at is 2025 Barnes Road,
11 Agua Dulce, 91235. What is this -- what this project is
12 telling people to do is to take their homes and their property
13 values and bet them on a race. This is going do last 20 to a
14 hundred years. And the best thing homeowners -- for some
15 homeowners to do is to race. And to what benefit? We
16 discussed here how this effects the property values. It's
17 like someone in the business is saying I'm going to pay a
18 homeowner in the Santa Clarita Valley and in Acton and Agua
19 Dulce, but we are ripping out these mountains at Soledad
20 Canyon and putting them in so much risk for the benefit of a
21 few outsiders.

22 I know if you lived within the 50 miles you would be with
23 us. We ask you to put a first nail in this coffin of this
24 monster. It's going to take many, many nails plus the courage
25 to drive the first one in. Put this genie back in the bottle;
26 this genie must not be released.

27 Thank you.

28 **15** SPEAKER: My name is Stacy Nickels. I would like to

1 read to you from the report. And I think you might find it
2 interesting. Well, we have several produced results of the
3 subject from various state or federal reports. And those
4 investigation are still in the planning stage. And the final
5 result may not be determined for years. In this pattern, the
6 company has been named as one of several potentially
7 responsible parties charged in clean up liability. This
8 disclosure is a fact and intended to inform those in the
9 industry as well as in many other industry. The mere
10 designation of an entity as a potential party does not really
11 apply; that that it is probable. That liability has occurred.
12 In fact, it may be marginal considering for all three.

13 MS. FELDMAN: Everyone please take your seats. The next
14 two testifiers please come forward. Is there anyone else who
15 wished to testify? Everything come in and sit down. Take your
16 seats. We need to have the room quiet. Please continue.

17 **16** SPEAKER: Donna Saufley. I live at 11861 Darling Road,
18 Agua Dulce, California, 91350. I'm here as a member of the
19 Pacific Crest Trail Association and to represent --

20 MS. FELDMAN: Those of you who need to conduct
21 conversations, please step out.

22 SPEAKER: The Pacific Crest Trail is one of the seven
23 national scenic trails. It is a trail that stretches from
24 Mexico to Canada. It passes through Agua Dulce. It comes down
25 from the ridge down, passes the Soledad Canyon, travels across
26 and goes up the freeway and under rocks. This is supposed to
27 be a national scenic trail. If you were to hike on the trail
28 that currently exists or any of the fire roads that are there

1 on that ridge designated and look down the view is truly
2 spectacular. It's open space and beauty. To put a project like
3 this, to open surface mining to decimate the mountain tops and
4 the view, would really take away that status through this
5 stretch of the trail -- of it being a scenic trail would no
6 longer be. The trail doesn't really have a whole a lot of
7 voices, but I would like to call your attention to the fact
8 that this is -- that most people are not aware of the Pacific
9 Crest trail but it is a treasure to be taken care of and to be
10 guarded for future generations. If this mining project is
11 allowed, it would be given a place to travel through.

12 MS. FELDMAN: Thank you.

17

13 SPEAKER: I am Charles Brink. And I have a house in
14 Acton.

15 MS. FELDMAN: We need your address.

16 SPEAKER: 3219 Crown Valley, Acton. In the suggested 10K
17 file with the S.C.C. on August of this year, they make a
18 direct statement. I will quote, that they have almost 100
19 percent of the various mining facilities have supplies 30 to
20 100 years of aggregates. That's counter to what they file
21 here. I'm assuming they're in light of the S.C.C.

22 But we'll be asking the S.C.C. to square up the
23 comment they give to you. That they have a tremendous amount
24 of aggregate in their own mining with the S.C.C.

25 The force of ammunition that the TMC must use to make a
26 profit is wrong. Financially, Transit Mix makes need for
27 aggregate totally wrong even with the facts involved. It is
28 eventually not sound and it is absolutely no need for the

1 project whatsoever. Thank you.

2 MS. FELDMAN: Thank you. Next testifier.

3 **18**

4 SPEAKER: Good morning. My name is Sandy Richards. I live
5 at 2234 Charad Drive. I am a realtor in Agua Dulce and have
6 been for about 15 years. I hadn't really planned to speak
7 this morning. Basically what I wanted to tell you -- I wanted
8 to testify as to the impact that is already taking place in
9 real estate in the Agua Dulce area. With the experience
10 that I have had with the problems in the last six months.

11 I have lost one very large investor, who is an
12 out-of-state resident in Arizona. He had planned to make
13 investments in Agua Dulce, some really substantial
14 investments. Upon hearing of the possible mining coming in he
15 has withdrawn that entirely.

16 I also had a client who has a very well known father who
17 is requesting to be the bank for his son's purchase. Which
18 was going to be probably at least a half million dollars
19 purchase in Agua Dulce. He has also gotten wind of the
20 possible mining and has put everything on hold until this
21 thing is resolved. As realtor we also have an issue and I was
22 just discussing outside with a friend of mine, as has been
23 stated earlier we have to disclose, disclose, disclose to the
24 public. And we are in quandaries as to what to tell people
25 now, about this possible mining. We are sure damned if we do,
26 damned if we don't because if we tell them there might be this
27 huge mining operation coming in, who's going to want to move
28 into that situation? It would totally destroy property value
in the area. I've already seen it happen. They're frightened

1 by this project and want to move. I have to tell them well --
2 we have to tell our potential buyer why you're moving. And if
3 you're leaving because of this, or take a chance this thing
4 may not happen. So in terms of having lived in Agua Dulce
5 almost 20 years, and the local residents have fought to keep
6 it a safe, rural, clean environment we looked all over from
7 Los Angeles to Riverside before we settled on Agua Dulce when
8 we moved. And we moved there based on the air quality. It was
9 one of the rural areas still left in the west where you can
10 actually see the mountains. And I feel that this project
11 would destroy us as well. So I would really like for you to
12 consider not just the residents of Agua Dulce but all of the
13 surrounding areas.

14 MS. FELDMAN: Thank you for your testimony. Next
15 +stifier.

19

SPEAKER: My name is Margo Karbacher and I live at 33333
17 Peuter Road, Agua Dulce. And I want to thank you for extending
18 the public comments here to 60 days, because we really need
19 that. I know that the county of Los Angeles is very
20 concerned. We faxed the county a set of literature which was
21 distributed to contractors and individuals.

22 Sediment would clog the gills of fish. Transit Mix
23 increases water temperature and when reasonably dry, the
24 sediment will be airborne and go down stream. In the proposed
25 course mining situation, the sediment would get to most of the
26 streets, parks, and it would just go right in the Santa
27 Clarita River. Either directly or via the Bocanos Creek.
28 Said ability, according to the L.A. County storm management

1 characterizes there would be increased cement wash, asphalt,
2 fluids, like motor oil, grease and fuel, flowing into the
3 streams. Overall, the stormwater pollution causes the county
4 economically, millions of dollars per year.

5 And the site itself is in the area of the Santa Clarita
6 River. Compound that with the removal of the vegetation and
7 exposure of our disturbed soil and fines which would be an
8 anywhere from 200 acres, you've got a drastically increased
9 amount of sediment caused by storm waters.

10 TMC claims that no matter what happens 80 percent of that
11 sediment run off would be contained by their catch basins and
12 that the remaining 20 percent will be crested, that they fully
13 understand Soledad Canyon Road. But, if you watch the news we
14 are constantly reminded that Mother Nature has a way of making
15 man look very foolish. Therefore a project of this magnitude
16 with just gross uncontrollable waste should not be consider
17 for this metropolitan area.

18 Thank you.

19 MS. FELDMAN: Thank you.

20

20 SPEAKER: My name is Elaine Dodd and this is Ashton Dodd.
21 And we are here to represent the mothers and the children of
22 the Agua Dulce, Santa Clarita and Acton area. Ashton's fourth
23 grade class wrote letters to Congress stating their concerns
24 about the environmental impact. We do so much to teach
25 children to save their environment. We tell them to recycle.
26 Now we have this huge environmental situation coming in only
27 three miles from this school. I think we ought to hear the
28 children's voices. They're going to be shy right now. I will

1 tell you from my own experience as a mother and I beg of you
2 to hear me and listen with an open heart for other mothers.

3 My child has missed over 40 days of school last year due
4 to respiratory problems. She has had to be hospitalized three
5 times and gets coughing spells in the night. For about three
6 weeks she couldn't keep any food down. I ask you to please
7 think of children that are already sick and who already have
8 problems. Valley Fever is a very big concern. This I have
9 spoken to my doctor. My daughter has seen over ten to 15
10 doctors. No one really knows what's wrong with her. There's
11 many other children that have these problems. My sister at the
12 doctor's office just told me when I went to see last regarding
13 her condition that he almost lost two patients, when they put
14 in the Valencia mall.

15 Think of what this will do to our environment. Children
16 are going to school three miles from this. We live six miles
17 from this site. Children already have problems breathing and
18 other conditions. I ask you please to really consider these
19 issues. And think of the children. Who is going to be
20 responsible for the children being sick, I ask you? Thank you
21 for listening.

22 MS. FELDMAN: Thank you.

23 SPEAKER: Ashton would like to say something. Okay.

24 MS. FELDMAN: Thank you very much. Next testifier,
25 please.

26 SPEAKER: She wants to say she was really sick. Please
27 stop the mining. Thank you.

28 MS. FELDMAN: Is there another testifier. Would you be

1 come forward.

2 **21** SPEAKER: Allen Cameron. I have a few brief comments to
3 address to you briefly. I do as the president and CEO of a
4 consulting firm.

5 Our firm is responsible for an area through the Santa
6 Clarita area approximately where the project is proposed.

7 In the pipeline now, we have a 125 acre project within
8 the line of the sight of the photos you're looking at there.
9 We have a lot of aggregates at the sight. They are not going
10 to need to bring up concrete bags to import aggregate for any
11 commercial buyer whatsoever.

12 The Newhall ranch project that you provided for the last
13 21,000 homes were composed of by the same, through their
14 aggregate. It is just as important to know that and
15 understand this project, as to oppose it. Your question can
16 be answered probably in the following way.

17 Number 1 many new to the southern California area, will
18 lose other aggregate resources on their own property.

19 Two. There are 60 identified sources of aggregate fully
20 available in Los Angeles County. No one who is responsible on
21 this issue is proposing that anyone in any supervisory
22 district in Los Angeles County be made aware of the commercial
23 suppliers of this material for the entire southwestern United
24 States which is the underlying economic premise of this
25 procedurel.

26 Moving on I would like to address you as the co-chair
27 person of the coalition. The many landfill organizations thank
28 you very much at this time. Recycled aggregate was assuming a

1 significant levels in supplies, as we know, that will be one
2 of the big reasons all the building materials will be --
3 likely be recycled back to be used again.

4 **22**

So we are opposing this project as proposed.

5 MS. FELDMAN: Are there any more testifiers? Is the
6 applicant prepared?

7 MR. POWELL: Yes.

8 MR. POWELL: Thomas Powell, 22408 West Cypress Place,
9 Saugus California 91350.

10 I am the operations manager for Transit Mixed Concrete
11 Company, which is a division of Southtown. And I've been a
12 resident of the city of Santa Clarita for one year.

13 Before I begin to -- I'd like to clarify a couple
14 points.

15 First of all that we are providing rebuttal testimony
16 to the commission at this time with the understanding that all
17 members of the public have testified -- who wanted to testify
18 have now testified -- as to clarify, the opposition testimony
19 portion of the public hearing is now closed.

20 MS. FELDMAN: We stated last week the commission did vote
21 to extend the written comment period. So there will still be
22 written comments that will arrive up until the cut off time,
23 which is November 15.

24 MR. PEDERSON: The motion can't be made at one time. We
25 heard all your --

26 MR. POWELL: I just want to clarify the public testimony
27 is closed. I understand you're still accepting --

28 MS. FELDMAN: We haven't taken rebuttal action yet. And I

1 do think additional --

2 MR. POWELL: Okay. Well the second point I was going to
3 make, based on the public being extended to November 15th is
4 that we would need -- we had liked to reserve additional
5 rebuttal time, if needed, to address any additional comments
6 that --

7 MR. TOY: Sure.

8 MS. FELDMAN: I think, if that's what you believe --

9 MR. POWELL: The first issue I would like to question
10 is why in planning the use of this sight, there were many
11 years for this. This project is zoned M2 and has been
12 provided a county land site permit for many years.
13 Surrounding areas are low density, rural. And air flows shows
14 that with the exception of the Stone Crest Development, north,
15 which was constructed site area has been not approached by
16 residential investment. Nine sight is currently not reclaimed
17 -- as in provision for development. There is revision of
18 reclaim interests absent a proposal of TMC project.
19 Designation contracts are implemented, the sight will be
20 reclaimed to open site conditions.

21 After years of potential review including input from the
22 County of Los Angeles, the Soledad Canyon site was formally
23 designated as the construction aggregate area in 1987. It
24 relies upon the state designation, the county general land
25 professions protecting designated resources, the county zoning
26 for insight and the previous land use permit.

27 A record of designation was issued. A notice of grant
28 and travel sales published and the public bid was held in

1 1989. Pursuant to the public bid process contracts for the
2 sale of 56 million acres were entered into in 1990.

3 My second point that the size and scale of this project
4 is appropriate. The TMC after issuing a finding of no impact,
5 offered for sale through a public bid up to 100 million tons
6 for those years. Of course, we bid only 56 million tons.

7 Phase one of this project for the first 10 years will
8 produce 1.4 to 2.4 million tons. Phase 2, is comparable in
9 size to one-third of the existing county. The project size is
10 only half of what it could have been and capable in size to
11 many other aggregate operations located in Los Angeles County.

12 The third point, the county needs the aggregate
13 material. Aggregate means the county as public housing and
14 public works construction, infrastructures, in order to
15 maintain the county's order of 34 million tons per year for
16 the next 20 years. The clock is running. This commission's
17 public hearing will take a year. The state division is
18 reversing the valley, assuming that nine million tons per year
19 will be completed, additionally.

20 That's quite a statement that was made; That the
21 aggregates will come from the Palmdale region and the last
22 speaker who spoke about the 60 other sights, in current
23 development including Newhall where they implemented the use
24 of their own aggregate. That's quite a statement, but unless
25 you further describe or made the basis for it clearly, what
26 have you lead to?

27 I don't know where the 60 sites are. They're permitted
28 in Los Angeles County. There are not 60 sites that are

1 permitted. They have been permitted as mineral resources.

2 MS. CAMPBELL: Well in your -- in the premise that you
3 named at the beginning of your -- at the beginning of this
4 hearing process, one of the things that you call is you do
5 have other aggregates?

6 MR. POWELL: No. There's aggregate sites that we
7 presented to you, are the sites right behind you. Those are
8 the sites identified. But those sites aren't permitted. So
9 unless --

10 MS. CAMPBELL: Okay regardless. The question I'm asking
11 you is are you aware of other sites, aggregate sites that
12 would be permitted that would provide aggregate?

13 MR. POWELL: Yes. Including this sight.

14 MS. CAMPBELL: How many sites would that be other than
15 those two

16 MR. POWELL: I'd have to go up there and count. I don't
17 know offhand.

18 MS. CAMPBELL: But would you agree -- do you agree that
19 the number is about 60?

20 MR. POWELL: That seem a little high. I really don't
21 know. I don't know how many other sites.

22 MS. CAMPBELL: Do you think it's 50

23 MR. POWELL: I'd have to look at the photograph. I just
24 don't.

25 MS. CAMPBELL: But there are others?

26 MR. POWELL: I will agree there are other sites in Los
27 Angeles County. All right. The TMC project for the last eight
28 years worked closely with the Bureau of Land Management, and

1 the county department of Regional Planning. All environmental
2 impacts have been mitigated and most impacts have been
3 mitigated to below a level of significance. Mr. Tom Ryan of
4 the Chambers Group will discuss some of the environmental
5 impacts in mitigation during nine ongoing public comment
6 periods for this project.

7 However the county directly determined there will be
8 impacts to schools. In fact, air quality analysis are only
9 required technology in regards to schools located within a
10 quarter mile of a project and there are no existing or planned
11 school of this projects. TMC is responsive to air quality
12 issues and has identified and is willing to implementing the
13 best available control -- willing to work with South Coast Air
14 Manage. For further discussions of the mitigation, I'd like
15 to introducer Mr. Tom Ryan of the Chambers Group.

16 MRS. FARGO: I do have one question. You made a
17 statement concerning it had approved nine mitigation stations.
18 I'm not sure -- I'm not sure you -- you need to clarify that
19 statement if you would please.

20 MR. POWELL: I think the planning -- I think what I'm
21 referring to if you're talking about the South Coast Air
22 Quality, the county planning staff has recommended approval of
23 the project.

24 MRS. FARGO: That's different. That's not what I said.

25 MS. FELDMAN: So the record has been cleared.

26 MR. PEDERSON: I have a question. Mr. Powell, have you
27 heard any information regarding the use of dynamite? Are you
28 prepared to answer questions? Could you develop the

1 aggregate without the use of dynamite?

2 MR. POWELL: I don't believe -- based on our study of
3 that area, on that site, we are utilizing the most modern
4 technology, as far as blasting.

5 MR. PEDERSON: Have you looked into the possibility of the
6 rail delivery at that site

7 MR. POWELL: We don't -- there is no mention for rail
8 delivery, including public works and everything else are out
9 on job sites. There aren't any rail supports.

10 MR. PEDERSON: Are you presently aware of the number of
11 homes and the number of people who reside in the area within a
12 five mile radius?

13 MR. POWELL: Yes. Yes. Including Stone Crest and I know
14 Pine Crest.

15 MR. PEDERSON: I am interested in the comment eariler
16 about the necessity of the what you had to control particles
17 half a mile away. Where did that come from?

18 MR. POWELL: I believe that South Coast Air Quality, But
19 Tom Ryan can explain that.

20 MR. PEDERSON: So he's going to do that?

21 MR. POWELL: He's going to enhance some of.

22 MR. TOY: I just have one -- I know the testifier's
23 number. He referred to -- I don't know in which context,
24 something about your company not be responsible. I think
25 something was mentioned that you guys weren't paying your your
26 fees on time. Do you want to comment? I don't know if you
27 heard that.

28 MR. POWELL: On which --

1 MR. TOY: What was implied was that if there was another
2 company, perhaps maybe many more open to working with them and
3 be much more responsive to the situation in the community,
4 would they do a better job? So I wanted -- if you wanted to
5 comment on that.

6 MR. POWELL: We have had a number of county meetings.
7 We have brought a number of the community's issues closer to
8 the project. We met the Stone Crest people, the Pine Crest
9 people. I believe it is at Pine Crest Elementary that we met
10 the Homeowners Association. We waved met with the city of
11 Acton, the city of Agua Dulce. It was before the hearing
12 process started to inform them about our company and about the
13 project.

14 MR. TOY: Has there been some history where -- it seems
15 there is some distrust in the community with your
16 organization?

17 MR. POWELL: We invest in other facilities in the
18 community. So they're probably not familiar with us. This
19 would be a first.

20 MS. FELDMAN: Please continue.

21 MR. RYAN: Thank you Tom Ryan representing Chambers Group
22 17971. Chambers Group has the undaunting task of responding
23 to agencies which release to the preparation of the final
24 DEIR. As you're aware this is very complex project with
25 multiple deliberations.

26 The applicant is willing to work with county staff and
27 the staff s of the various agencies to resolve issues that
28 have been brought up during public review. As the release of

1 its issues will confirm the decisions by these sections that's
2 occurred subsequent to your deliberations on this project. But
3 be assured that the interaction with federal, state and local
4 agencies is ongoing. It is taking place, but will not resolve
5 issues which are however far enough in the process of
6 scheduling to that the project can be invested to meet all
7 applicable -- applicable federal, state and local laws and
8 regulations.

9 And what I'd like to do now is just, I guess briefly
10 give an idea of where these issues are, with the expectation
11 that more detailed responses and we reserve a right to get
12 more detailed responses when all the public reviews and
13 comments are received, most having to do with the surrounding
14 use and Compatibility is an important aspect.

15 However, we believe that the land compatibility already
16 established with the prior accomplished use of the site and
17 by the state in dealing with objectives, as we have heard
18 their opinion on prior use of the site. The site zone
19 designation does include minerals, as permanent use and there
20 are other mining operations in the area there. The county does
21 have a permit of mining. And I guess what is -- what it is
22 agreed is that residential use has increased the area around.
23 And can also be made that mining has increased in the area.
24 One of the most approved geoland mining projects was approved
25 in 1997. The county must also consider that the site is
26 designated as regional. I'll skim over that for now.

27 The most talk about proximity to surrounding uses, we
28 have considered the comments of those who believe that the

1 project will -- project will be have significant impacts on
2 the residents in the Santa Clarita Valley, but don't belief
3 this. Consider the one mile or more between the project site
4 and the closest Santa Clarita resident. That one mile buffer
5 really exceeds reasonable planning for the separation of
6 residential and industrial uses. Except for perhaps very
7 highly intrusive uses like airports. We have more than a two
8 mile buffer for consideration of school safety. For instance,
9 buffers of several hundred feet are actually very common in
10 California, to separate residential and mining uses. And we
11 will provide information in formal processess to comments that
12 shows the numbers of the community in California which reserve
13 this buffer on the order of several hundred feet, for specific
14 project lights. It includes measures to alleviate potential
15 significant impacts and those include barriers, berms, and
16 significant dust control plans. We have heard testimony --

17 MR. TOY: Excuse me. Before you go on. I have always been
18 trying to understand which -- on the lines on the maps, that
19 we have, the white lines, red lines, and staff is trying to
20 make that out. And certain lines mean certain things. One of
21 them is close in proximity. Then you can't have certainly
22 activities going on. Wouldn't the information that we have
23 been hearing counter to what Mr. Ryan is saying now and I
24 don't know if Mr. Ryan, if you want to go over that briefly to
25 see if or if Mr. Powell wanted to.

26 STAFF: I believe the white line on the aerial photograph
27 behind the commission, that is the area of significant
28 aggregate resource s that the state has identified. That is

1 about right. What Mr. Ryan was talking about is use that is
2 applicable to public issues and he's talking about one mile
3 buffer zone between that section two and the closest
4 residential concentration. That's what's he's talk about.

5 MR. TOY: But I thought that -- and I have going back and
6 looking at my notes, but I thought red lines which was kind of
7 like part of this is in the Water and Power. Is it a question
8 of compatibility?

9 MS. FELDMAN: The housing project that you're referring
10 to is just to the south of this site? Immediately adjacent?
11 It's not in the area. It is adjacent?

12 MR. TOY: It's -- but it's immediately adjacent? Wasn't
13 there also some requirement, something, I thought you said we
14 had the discussions to deal with that. But we are talking
15 about their requirement --

16 MR. RYAN: Yes. That actually came up. The connection
17 with the project because under the state law in order to
18 approve the residential project it's s in that area, for that
19 mining area, where there's an approved surface mining project
20 or not, but an area that's been developed for surface mining
21 you had to make certain compatibility determinations, for
22 residential projects to approve a surface mining project you
23 do not have to look at compatibility of the adjacent area.
24 Because federal and law already determined that the area is
25 appropriate for surface mining. In general, you may look for
26 the permit necessary of a particular am indication --

27 MR. TOY: I see. So it's not the -- that's clear. Thank
28 you.

1 MS. FELDMAN: Mr. Ryan, I have a question. So since they
2 need a little more time to discuss.

3 MR. RYAN: Relative to air quality, the applicant has
4 been reviewing all opinions to air quality. Some of the met
5 gas station measure s proven discussed in the: But just a
6 word on Rule 430. The project will implement the safe air
7 rule 430, future dust control plans. We have had recent
8 meetings with A Q.M.D, and talked to them. We are -- the
9 applicant is currently reviewing these. However it's a good
10 bet that many of those problems visible from the project line
11 and elements the concentration of P.M.-10 from the
12 facility --

13 MS. FARGO: Would you repeat the last sentence?

14 MR. RYAN: The 430 Prop prohibits dust from the property
15 lines and limited to the facility in relation to
16 concentrations dust at fence line to 50 miles. Applicant is
17 committed to strict Rule 430 compliance. We are confident that
18 the compliance can be achieved. We have however continued to
19 work with the distribution to approve the project t. another
20 measure P.M.-10. Applicant has agreed to utilize technology by
21 the E. P. A. and A. R. B. T. and one of the major things as
22 Mr.Powell mentioned is the use of conveyors in hauling which
23 is -- could result in reductions of A.M.D.-10 and reduce it by
24 one third. We have not addressed those issues in detail right
25 now. But we believe the effects of these is very low.

26 For instance, with Valley Fever, we do know the spores
27 that causes the disease known as Valley Fever. The principle
28 effects from mining come s from the initial surface disturbs

1 of new mine areas. The the activities itself which seeks
2 mineral deposits release Valley Fever spores. The project
3 effects some 232 surface acres over a 20 year period. You
4 could size it as 12 acres a year. The Valley fever issures are
5 very low. We also know that the minerals on this site are
6 very very silicate at less than five years, compared with
7 other mineral deposits in southern California that have over
8 20 to 30 percent crystal and silicate proportion. But more on
9 that issue later.

10 Relative to water. The water resources available for the
11 project in in former and latter years, provided important
12 parameters to mitigate. That have plans which include mounting
13 and protecting, the scenic project already implemented. These
14 will be protect I have measures and has been reviewed by the
15 Fish and Wild Life Service and approved as part of their
16 biological studies.

17 The applicant is committed to a water shortage plan,
18 whenever a water shortage is declared.

19 MS. CAMPBELL: Mr. Powell, could you address your several
20 to the comment about the high level of nitrate in the
21 materials that are on the side and the impact of the nitrate
22 on the water supply.

23 MR. POWELL: Several hundreds feet are actually very
24 common in California, to separate residential and mining uses.
25 And we will provide information in formal process s to
26 comments that shows the numbers of the community in California
27 which reserve this but on the order of several hundred feet,
28 for specific project lights. It includes measures to alleviate

1 potential significant impact s and those include barriers,
2 berms, and significant dust control plans. We have heard
3 testimony to --

4 MS. FELDMAN: The housing project that you're referring
5 to is just to the south. Of this sight? Immediately adjacent?
6 It's not in the area. It is adjacent.

7 MR. TOY: It's -- but it's immediately adjacent? Wasn't
8 there also some requirement, something, I thought you said we
9 had the discussions to deal with about that. But we are
10 talking about their requirement --

11 SPEAKER: Yes. That is actually came up. The connection
12 with the project because under the state law in order to
13 approve the residential project it's s in that area, for that
14 mining area, where there's an approved surface mining project
15 or not, but an area that's been developed for surface mining.
16 You have to make certain compatibility determinations for
17 residential projects -- to approve a surface mining project
18 you do not have to look at compatibility of the adjacent area.
19 Because federal and law already determined that the area is
20 appropriate for surface mining. In general, you may look for
21 the permit necessary of a particular am indication --

22 MS. FELDMAN: Mr.Ryan, I have a question. How close to
23 the sight do you live?

24 MR. POWELL: Takes me 12 minutes to get there. Sometimes
25 about 15 minutes.

26 MS. FELDMAN: You live in Saugus? Live in the area?
27 Commissioners?

28 MR. PEDERSON: Thank you. Madame Chair. Thank you. Is

1 there more testimony at this time on rebuttal.

2 MS. FELDMAN: We agreed that they had additional time.

3 MR. PEDERSON: Before I make the motion I just want to
4 make a comment. I wouldn't to thank the applicant and all the
5 people who represented the applicant throughout this process.
6 And I appreciate the fact that you sat there and still
7 cooperated with us throughout this thing.

8 MS. FELDMAN: And I thank you very much for the way you
9 conducted yourselves during these hearingss. It is very
10 volatile and important. This is my motion. I move that we
11 close the public hearings of oral testimony, with the
12 exception of rebuttal if needed after the close of written
13 testimony. We will keep the written comments open until the
14 15th of November, 1999. I move that this item be continued for
15 rebuttal testimony and any necessary discussion. But the
16 motion to December 11th at 9 a.m. Is that a second for
17 December 11th?

18 MS. HOLT: Is a Wednesday?

19 MR. PEDERSON: Wednesday.

20 MS. FARGO: I second.

21 MS. FELDMAN: I do think we need to -- I'd like to add
22 that I would like to have staff get back to us with some
23 information -- a little more detailed information on the
24 number of aggregate sites in the county. Provide that to us.
25 Anything else? All in favor? All aye? Thank you very much.

26 Housekeepings items. I would like to bring up an item
27 that is off the agenda before the planning commission. And
28 that is conditional use permit of 97180. It's on hearing

1 agenda for 112 and I'd like to bring that up before the
2 commission since it is kind of related to the case that we
3 have before us on the 10th. I'd like to bring it up on that
4 date to consider both of those on the --

5 MS. FARGO: Would you clarify the case?

6 MS. FARGO: Please.

7 MS. FELDMAN: It's a L.R.R.-1 and there is a request for
8 comments.

9 MS. HOLT: As you recall, for specific regulations to a
10 conditional permit.

11 MS. FELDMAN: That is my motion.

12 MS. CAMPBELL: Second.

13 MS. FELDMAN: Are we all ready to bring that up on the
14 10th?

15 MS. HOLT: Yes.

16 MS. FELDMAN: One other housekeeping items. Weeks ago, we
17 approved a minutes for Thursday August 19th, because they
18 included a mentions of or comments. The commission's comments.
19 We can also do that next week Friday? Friday that's going to
20 be on the agenda. Any other comments -- public comments on
21 the matters on the agenda? Anything else? Meeting is
22 adjourned.

23 (The hearing proceedings were
24 concluded at 12:30 p.m.)
25
26
27
28

name

Job Date:

The reasons for making changes are as follows:

- [illegible]

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From vicinity to zoning



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BEFORE THE REGIONAL PLANNING COMMISSION
FOR THE COUNTY OF LOS ANGELES

IN THE MATTER OF:)
SURFACE MINING PERMIT 91-165-(5))
TRANSIT MIXED CONCRETE COMPANY)

REPORTER'S PARTIAL TRANSCRIPT OF PROCEEDINGS

HALL OF RECORDS
320 WEST TEMPLE STREET
ROOM 150
LOS ANGELES, CALIFORNIA 90012

WEDNESDAY, SEPTEMBER 22, 1999
9:30 a.m. - 12:30 p.m.

REPORTED BY:
JANE HONG
C.S.R. NO. 11975
JOB NO.: 55384
Pages 28-59

**CERTIFIED
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Emerald
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REGIONAL PLANNING COMMISSION HEARING 9-22-99

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, SEPTEMBER 22, 1999

2 9:30 A.M.

3 -oOo-

4
5 MR. CAMERON: Thank you Ms. Feldman. Allen Cameron 19425
6 Soledad Canyon Road, Suite 42412, Santa Clarita, California
7 91351. I have five brief points that are new to the record.
8 When I addressed you previously, I did so as the president and
9 chief executive officer of Comprehensive Development
10 Consulting.

11 Our firm is responsible for a large volume
12 development activity in the Santa Clarita area. What I did not
13 share with you at the time is we have nearly one billion
14 dollars worth of projected projects in the pipeline now. The
15 companies we represent are deeply concerned about the long
16 term viability of this potential investment, should this mine
17 be inappropriately approved.

18 Commissioner Campbell, you asked an excellent
19 question earlier, which we need to address. The Santa Clarita
20 Valley, is, as Mr. Curtis mentioned rich in aggregate. What
21 our clients are going to do is use the aggregate we have on
22 our property. We have a 1310 acre property, within the line
23 of sight of the photographs you're looking at there. We have
24 a lot of aggregate of the site. We're going to bring in
25 concrete bags, mix it on site, export -- import no aggregate
26 from any commercial supplier whatsoever.

27 The Newhall Ranch project that you approved of in
28 the last year for 21,000 homes on 19,000 acres proposes the

1 same method for their aggregate supply. Also, it is vitally
2 important to know that to understand this project, is to
3 oppose it.

4 Your question can be answered in the following ways:
5 Number one, many of the projects in virgin land areas
6 throughout the Southern California area will use their
7 aggregate resources on their on property, supply the needs
8 they use. Number two, there are 60 identified sources of
9 aggregate fully available in Los Angeles County.

10 No one who is responsible on this issue is proposing
11 that anyone in any supervisorial district in Los Angeles
12 County be made to be the commercial supplier of this material
13 for the entire Southwestern United States, which is the
14 underlying economic premise of this proposal.

15 Moving on, I would like to address you now as the
16 co-chairperson of the Landfill Alternatives Safe Environmental
17 Resources Coalition, commonly known as the L.A.S.E.R.
18 Coalition.

19 In the many landfill cases that this commission has
20 considered you've heard from our organization, many times. We
21 have members of L.A.S.E.R. in all of your districts. The
22 L.A.S.E.R. board has not officially yet taken a position on
23 this, but we will shortly.

24 The reason is, the recycled aggregate market has
25 assumed a significant role in supplying the needs for
26 aggregate throughout the country, particularly here in
27 Southern California.

28 You've been told inaccurately that the AB939 waste

1 diversion goals of the State, i.e., 50 percent of the waste
2 not going to landfills would not be met. As we know, that will
3 be met. And one of the big reasons is, all of the building
4 materials are being recycled back to be used again.

5 The earthquake rubble from the January 17, 1994
6 earthquake of which there were millions and millions of tons,
7 tragically, was essentially all used as recycled aggregate. So
8 we are not proposing -- no one responsibly opposing this
9 project would propose that any part of Los Angeles County
10 assume this massive inappropriate kind of role.

11 The 60 site recycle market can ship and use
12 aggregate with minimal effect in each of the respective
13 communities of Los Angeles -- each and every community being
14 self-sufficient, as we are.

15 So we are not nimbies in a pejorative sense. We are
16 saying not in our backyards and not in yours either, not on
17 this kind of scale. At one of the other hearings one of the
18 proponents of the project -- and this is a presentation in
19 front of Congressman McKeon when he was deciding whether or
20 not to be neutral, in favor of, or opposed to this project --
21 referred to the opponents of this project of being, quote,
22 unquote, victims of mass hysteria.

23 Well, at this point we should perhaps call the
24 Centers for Disease Control because this epidemic has become
25 quite widespread. I would not characterize however as mass
26 hysteria -- I was going to read it to you, in view of the
27 hour, I won't.

28 I will submit as testimony current as today a 31

1 organization and government representatives throughout all of
2 Southern California opposed to this proposal, starting with
3 the City of Santa Clarita, ending with the International Union
4 of Operating Engineers in the Valencia Industrial Association.
5 So I would be to answer regarding the fact that there are the
6 significant multiple sources available today to supply the
7 aggregate.

8 Two last quick points, when the applicant will speak
9 with you, they will say, the air pollution will be worse if
10 our project's not approved because we'll have to get this
11 shortage of rock from Little Rock, 30 miles to the north.
12 They will probably not clearly convey to you the fact that
13 they do not own the Little Rock site. So they have no control
14 over that as an alternative source.

15 They will not address the fact that we will not be
16 buying -- we, being the developers of the community --
17 aggregate from them or anyone else, we're going to supply the
18 aggregate on site -- supply our needs. So if you're going to
19 talk about alternatives you don't own, talk about them all.
20 Talk about the 60 sites, the land with the aggregate on it
21 that will be utilized.

22 Lastly that comment about our being nimbies was
23 interesting. It's often used as a pejorative comment, as a
24 form of insult. However, when I hear it, I'm reminded that
25 that comment allies us with what is and remains the best known
26 of all nimby movements, better known as the United States of
27 America.

28 Thank you.

1 MS. FELDMAN: Are there any other individuals who wish to
2 testify today? All right. Is the applicant prepared to rebut?

3 MR. POWELL: Good morning. My name is Tom Powell, it's
4 P-o-w-e-l-l. My business address is 1201 West Gladstone in
5 Azusa, California.

6 I am the operations manager for Transit Mixed Concrete
7 Company, which is a division of Southtown Incorporated. And
8 I've been a resident of the city of Santa Clarita for 15
9 years.

10 Before I begin the rebuttal, I'd like to clarify a
11 couple points.

12 First of all that we are providing rebuttal testimony
13 to the commission at this time with the understanding that all
14 members of the public have testified -- who wanted to testify
15 have now testified -- and therefore the opposition testimony
16 portion of the public hearing is now closed.

17 MS. FELDMAN: Well, we haven't taken that action. As you
18 know, last week the commission did vote to extend, at least
19 the written comment period. So there will still be written
20 comments that will arrive up until the cut off date, which is
21 November 15.

22 MR. PEDERSON: And the motion couldn't be possibly made
23 until such time as we had heard all of your statements,
24 anyhow.

25 MR. POWELL: Sure. I just want to clarify the public
26 testimony is closed. I understand you're still accepting
27 written comments.

28 MS. FELDMAN: We haven't taken that action yet. And I do

1 think it's important to note that the written testimony period
2 is open, and if you want your rebuttal to be able to respond
3 to written testimony, you'll need to wait until that date.

4 MR. POWELL: Okay. Well the second point I was going to
5 make, based on the IR comment period being extended to
6 November 15th is that we would need -- we had liked to reserve
7 some additional rebuttal time, if needed, to address any
8 additional comments that --

9 MR. TOY: Sure.

10 MS. FELDMAN: I think that's appropriate.

11 MR. POWELL: Okay. Then we'll go forward with our
12 rebuttal then. I'd like to review some of the main aspects of
13 the TMC Soledad project, which we feel would support a
14 decision by this commission for approval of the project.
15 After my presentation, Mr. Tom Ryan of the Chambers Group who
16 prepared the IR will discuss some of the environmental impacts
17 and project mitigations in light of the public comments
18 received today.

19 Other members of the project team are also here to
20 answer questions you may have. The first issue I would like
21 to discuss is why mining is the most appropriate use of this
22 site. There are many reasons for this.

23 First this project is zoned M2 and has been
24 previously mined, pursuant to a county land use permit for
25 many years. Surrounding land uses include mining vacant land
26 and low density residential. A comparison of newer and older
27 air photos show that with the exception of the Stone Crest
28 Development, north of the freeway, which was constructed

1 immediately opposite existing and ongoing mining operation,
2 the federal contract area has not been approached upon by
3 residential development.

4 The site is currently unreclaimed and there's no
5 prevision of reclamation of the site from previous mining
6 operations. There's no prevision for reclamation that is
7 absent, approval of BLM TMC project. If the BLM contracts are
8 implemented the site will be reclaimed and revegetated to an
9 open space condition.

10 After years of public review, including input from
11 the county of Los Angeles, The Soledad Canyon site was
12 formerly designated by the State Mining and Geology Board as a
13 regionally significant construction aggregate resource area in
14 1987.

15 In reliance upon the state designation the county
16 generally plans provisions protecting designated mineral
17 resources, the county zoning for this site, and the previous
18 county land use permit the BLM pursuant to a U.S. District
19 Court order conducted an environmental assessment for sale of
20 up to a hundred million tons of sand and gravel from this
21 site. A record of decision was issued, a notice of sand and
22 gravel sales, published, and a public competitive bid was held
23 in 1989. Pursuant to the public bid process, contracts for the
24 sale of 56 million tons were entered into in 1990.

25 My second point is, that the size and scale of this
26 project is appropriate. The BLM after conducting the
27 environmental assessment and after issuing a finding of no
28 significant impact, offered for sale through a public

1 competitive bid up to a hundred million tons over a period of
2 time, as long as 20 years. TMC bid only 56 million tons.
3 Phase one of this project for the first ten years will produce
4 1.4 to two point million tons per year, which is an average
5 size mining operation.

6 Phase two, at 4.2 million tons per year is
7 comparable in size to one-third of the existing sand and
8 gravel quarries in the county. The project size is only half
9 of what it could have been and is comparable in size to many
10 other existing aggregate operations located in Los Angeles
11 County.

12 My third point is that the county needs the aggregate
13 material from this project. Aggregate reserves are needed in
14 order to support the development and maintenance of the
15 county's public -- county's housing and public works
16 construction infrastructure. In order to maintain the
17 county's existing reserve base, the county needs to permit an
18 additional 34 million tons per year, every year for the next
19 20 years.

20 The clock is running. This commission's public
21 hearing process alone before it is done, will have taken a
22 year. The State Division of Mines and Geology estimates that
23 the reserves in the San Fernando Valley currently being
24 consumed at a rate of nine million tons per year, will soon be
25 depleted.

26 If the BLM TMC contracts are not implemented, then
27 the needs of Santa Clarita and San Fernando Valleys will be
28 supplied from the Palmdale production region, resulting in an

1 extra one hundred million truck miles, increasing overall air
2 pollution, and traffic congestion. Not only would the public
3 treasury be deprived of the \$28 million in royalties, the
4 increase cost of the additional transportation, would amount
5 to \$170 million, for transportation alone, half of which would
6 be reflected in increased public works costs.

7 MS. CAMPBELL: Well before you proceed, may I ask you a
8 question?

9 MR. POWELL: Yes.

10 MS. CAMPBELL: That's quite a statement, Mr. Powell, to
11 say that the aggregate will come from the Palmdale region and
12 it will produce those number of truck miles, especially in
13 light of the last speaker who spoke of -- quite eloquently --
14 about the 60 other sites, as well as current development
15 plans, including Newhall, where they intend to do the supply
16 of their own to use the aggregate that's on their own property
17 for their supply and their need. Unless you further describe
18 or explain the basis for it, it seems like it clearly flies in
19 the face of what was just testified to.

20 MR. POWELL: I don't know where the 60 sites are, they're
21 not permitted. In L.A. county there's not 60 sites that are
22 permitted. So I'm assuming they're talking about sites, such
23 as this, that have been identified as mineral resources.

24 MS. CAMPBELL: In the presentation that you made in the
25 beginning -- in the beginning of this hearing process, one of
26 the things that I do recall is that you had a graphic that
27 talked about other aggregate sites. Now, are you saying that
28 you're not aware --

1 MR. POWELL: There's other aggregate sites that we
2 presented to you are sites, in fact, you've got the map behind
3 you. Those areas in the red, those are sites that are
4 identified as mineral resources that could provide the type of
5 aggregate needed for concrete and asphalt. But those sites
6 aren't permitted.

7 MS. CAMPBELL: Regardless, let's not get into the
8 technicality of whether or not they're permitted, the question
9 that I'm asking you is, are you aware of other sites,
10 aggregate sites, that could be permitted, that have rich
11 resources to provide aggregate?

12 MR. POWELL: Yes, including this site. Yes.

13 MS. CAMPBELL: Okay. And so how many sites would that
14 be, other than these two?

15 MR. POWELL: I'd have to go and count them. I don't know.

16 MS. CAMPBELL: Do you agree that the number is about 60?

17 MR. POWELL: That seems a little high, but I really don't
18 know.

19 MS. CAMPBELL: Okay.

20 MR. POWELL: I don't know how many other sites.

21 MS. CAMPBELL: Do you think it's 50?

22 MR. POWELL: I'm looking at the photo -- I just don't --

23 MS. CAMPBELL: You will then --

24 MR. POWELL: I will agree there are other sites.

25 MS. FELDMAN: Let's get back to --

26 MS. CAMPBELL: Please proceed.

27 MR. POWELL: Okay. My first point is that TMC has worked
28 hard to make this an environmentally reasonable project. TMC

1 has been in this county permit process for the last eight
2 years. During those years, TMC has worked closely with both
3 the Bureau of Land Management and the County Department of
4 Regional Planning to develop project and design features, and
5 mitigation measures to reduce the environmental impacts of the
6 project. All environmental impacts have been mitigated and
7 most impacts have been mitigated to below a level of
8 significance. Mr. Tom Ryan of the Chambers Group will discuss
9 some of these environmental impacts and mitigations in a
10 minute.

11 During the ongoing public comment period for the
12 project, it has become apparent that a principle public
13 concern is related to air quality. Additionally, concerns
14 have been expressed regarding air quality in relationship to
15 schools.

16 However, the county correctly determined that there
17 are no impacts to schools. In fact, air quality analysis are
18 required only of schools located within a quarter mile of a
19 project. And there are no existing or planned schools at that
20 distance from this project. Nonetheless, in response to air
21 quality concerns, TMC has identified and is committing to
22 implement a significant additional mitigation measure, which
23 will reduce on site air emissions. To put this into context,
24 the TMC project already includes the best available control
25 technology for the processing plant and the South Coast Air
26 Quality Management District Rule 43-Fugitive Dust Control Plan
27 as air quality mitigation measures.

28 These new conveyors will be utilized in place of

1 open vehicles using onsite haul roads, thereby substantially
2 reducing onsite haul trips by earth-moving vehicles, which
3 will, in turn, reduce over all dust emissions. TMC estimates
4 that the additional mitigation measure will further reduce
5 dust emissions by approximately one-third. The combination of
6 these air quality mitigations, coupled with the fact that the
7 air quality will be worse under the no project alternative,
8 should alleviate any air quality concerns. Now for further
9 discussions of the impacts and mitigations, I'd like to
10 introduce Tom Ryan of The Chambers Group.

11 MRS. FARGO: I do have one question. You made a
12 statement that the county had approved the mitigation. I'm
13 not sure -- we're the county -- I'm not sure -- you need to
14 clarify that statement if you would please.

15 MR. POWELL: I think what I'm referring to if you're not
16 talking about the South Coast Air Quality Management
17 District, as far as the county, your planning staff has
18 recommended approval of the project.

19 MRS. FARGO: That's different. That's not what you said.

20 MS. FELDMAN: So the record has been clarified. Other
21 questions, Commissioner?

22 MR. PEDERSON: I have a couple of questions. Mr. Powell,
23 have you heard any information regarding the new technology
24 regarding the use of dynamite? Are you prepared to answer
25 questions as to could you get the aggregate without the use of
26 dynamite?

27 MR. POWELL: I don't believe so based on our studies.
28 We've core drilled a number of sites a number of areas on that

1 site. We are using the most modern technology as far as
2 blasting. I think Mr. Pervis testified to that, that we're
3 proposing to use one-tenth of the blasting power basically
4 that he was using, when he was blasting.

5 MR. PEDERSON: Have you looked into the possibility of the
6 rail delivery at that site.

7 MR. POWELL: We don't -- there's no market for rail
8 delivery. The customers, including public works and everyone
9 else are out on job sites. There aren't any rail spurs on any
10 of these job sites, and freeways and things.

11 MR. PEDERSON: Are you presently aware of the number of
12 homes and the number of people who reside in the area within a
13 five mile radius of the site? Because your IR did indicate
14 some of the newer developments.

15 MR. POWELL: Yes. Yes. Including Stone Crest and I think
16 Binder would be within that mile.

17 MR. PEDERSON: And who's interested in the necessity of
18 whether you had to control dust particulate within a half a
19 mile? And this is a rule of what? Where did that come from?

20 MR. POWELL: I believe that comes from the South Coast
21 Air Quality Management District, Rule No. 403, but Tom Ryan
22 can answer that.

23 MR. PEDERSON: So he's going to do that?

24 MR. POWELL: He's going to enhance some of the technical
25 aspects of it.

26 MR. PEDERSON: Okay. Thank you.

27 MS. FELDMAN: Mr. Toy?

28 MR. TOY: Yes. I just have one question, Mr. Powell. I

1 think the testifiers, a number of them, referred to -- I don't
2 know in which context -- they were talking about your company
3 being not the responsible, not being that responsive, I think
4 somebody also mentioned that you guys weren't paying your fees
5 on time. Did you want to comment on that? I don't know if
6 you heard that or if you had anything.

7 MR. POWELL: I heard it today and I looked in the -- I
8 think I've heard it before.

9 MR. TOY: Let me finish. Based on that, what was implied
10 was that if there was another company, perhaps people may be
11 much more open to working with them and they could do a much
12 more responsive type of situation in the community, would they
13 do a better job? So I wondered if you wanted to comment on
14 that.

15 MR. POWELL: We've had a number of community meetings.
16 At our request we contacted a number -- particularly the
17 communities that care closer to the project. We met with the
18 Stone Crest people, the Binder people, we had a meeting with,
19 I think it was Binder Elementary, we met with the Sand Canyon
20 Homeowners Association, met with the City of Acton, the City
21 of Agua Dulce, and this was before the hearing process
22 started. This was to let people know something about our
23 company, something about the project. So we've had a number of
24 community meetings.

25 MR. TOY: Let me ask it this way, then. Has there
26 historically been for whatever reason an image that the
27 community has gotten that your company does not -- I mean,
28 regardless of the meeting that you've attempted some history

1 that has set up where there seems to be distrust in the
2 community toward your organization?

3 MR. POWELL: We had other facilities in the community. So
4 they're probably not familiar with us. This would be our first
5 facility in this community.

6 MR. TOY: Okay.

7 MS. FELDMAN: Please continue.

8 MR. POWELL: I'd like to introduce Tom Ryan.

9 MR. RYAN: Thank you. Madam Chair and members of the
10 commission, my name is Tom Ryan representing Chambers Group
11 17910 Sky Park Circle, in Irvine, California. Chambers Group
12 has the somewhat undaunting task of responding to comments
13 that have been made.

14 MS. FELDMAN: You need to pull the mike just a little bit
15 closer to you.

16 MR. RYAN: Okay. How's this?

17 MR. FELDMAN: That's better. Thank you.

18 MR. RYAN: Which of course would lead to the final
19 prodegration of the final ER. And as you're aware, this is a
20 very complex project with multiple agency oversight. And
21 applicant, the project consultant are in the process of
22 responding to all the comments made and are actually working
23 with county staff and the staffs of the various agencies to
24 resolve issues that have been brought up during public review.
25 As you know, the resolution of some of these issues will
26 require decisions and actions by these agencies that occur
27 subsequent to your deliberations on this project.

28 But be assured that the interaction with Federal,

1 State, and local agencies is ongoing, it is taking place, and
2 will resolve issues. We are far enough into the process of
3 responding to comments to have a firm belief that the project
4 can be developed to meet all applicable federal, state, and
5 local laws and regulations. And what I'd like to do now is
6 just, I guess, briefly give you an idea of where we are on
7 certain of these issues, with the expectation that more
8 detailed response -- we can reserve a right to give more
9 detailed response when all the public review comments have
10 been received.

11 Relative to land use, there have been many comments
12 regarding this issue, most having to do with compatibility and
13 proximity to surrounding use. Compatibility is an important
14 aspect. However, we believe that the land use compatibility
15 equation must also consider the prior established use of this
16 site and State and BLM's minerals designations and objectives.
17 As we've heard, there's been prior use of the site for
18 minerals excavation since for nearly 20 years.

19 The site zoning designation does include mineral
20 extraction as a permanent use and there are other mining
21 operations in the area. This area, the county does have a
22 history of mining. And I guess, those agree that residential
23 has increased in the area. The argument can also be made that
24 mining has increased in the area, as well. And one of the most
25 recent approvals has been the Jule Graham Mining Project,
26 approved in 1997. The county must also consider that the site
27 is designated as regionally significant construction aggregate
28 resource and Mr. Powell related to that.

1 So skip over that for the moment and talk about
2 proximity to surrounding uses. We've considered the comments
3 of those who believe that the project will, by its proximity,
4 have significant impacts on the residents in the Santa Clarita
5 Valley but don't believe that this is either borne out by
6 either the analysis or the experience in California.
7 Considering the one mile or more between the project site, and
8 the closest Santa Clarita resident, that one mile buffer
9 really exceeds most reasonable planning criteria for
10 separation of residential and industrial uses, except for
11 perhaps very high intrusive uses like airports, which have
12 more of a two mile buffer for consideration of school sites,
13 for instance.

14 A buffer of several hundred feet are very common in
15 California to separate residential and mining uses and we will
16 provide information to comments that shows a number of
17 communities in California which observe this buffers on the
18 order of several hundred feet. For specific developments like
19 Rivers End that are closer to the project site, the ER did
20 include measures to alleviate potential significant impacts,
21 and those include noise barriers, berms, and significant dust
22 control programs. Relative to air quality --

23 MR. TOY: Before you go on, Madam Chair, may I ask one
24 question?

25 MS. FELDMAN: Yes.

26 MR. TOY: I've always been trying to understand much more
27 better. On the lines on the maps that we have, and the white
28 lines, the red lines, I think staff was trying to explain to

1 us that certain lines meant certain things. And one of them
2 were like the state, right? It is close proximity, then you
3 can't have certain activity. So wouldn't the information that
4 we've gotten before be counter to what Mr. Ryan is saying
5 right now? And I don't know if Mr. Ryan wanted to -- if you
6 want to go over that briefly and see if Mr. Ryan wanted to
7 respond to that. Do you know what I'm talking about, staff?

8 STAFF: I believe I do. The white line on the aerial
9 photographs behind the commissioners identifies Sector B2
10 which is a state designation and that is the area of
11 significant aggregate resource that the state has identified.
12 That's where that white line ends. What Mr. Ryan was talking
13 about is land use compatibility issues and he's talking about
14 one mile buffer zone between that Sector B2 and the closest
15 major residential concentration. That's what he's talking
16 about.

17 MR. TOY: But I thought that -- and I have been going
18 back and looking at my notes, but I thought that red lines
19 which was kind of like part of this is in the white and part
20 is out, wasn't there a question of compatibility in terms of
21 housing being in those particular areas? And I think I
22 remember asking Ms. Fries to comment on that, you know,
23 legally, from the very beginning, you know, if that, in fact,
24 exists. Why are we talking about --

25 MS. FELDMAN: The housing project that you're referring
26 to is just to the south of this site. So it's immediately
27 adjacent. It's not in the area. It is adjacent to it.

28 MR. TOY: If it's immediately adjacent, wasn't there also

1 some requirement, something, I thought you said we had the
2 discretion to deal with that. But we're talking about that
3 for quite a while, from what I remember.

4 MS. FELDMAN: Let Counsel respond.

5 MS. FRIES: Yes. That issue actually came up in
6 connection with the Big Canyon Project because under the state
7 law in order to approve the residential project that's near a
8 surface mining area, whether there's an approved surface
9 mining project or not, but within an area that's been
10 designated for surface mining, you need to make certain
11 compatibility determinations, for the residential projects to
12 approve a surface mining project. You do not need to look at
13 compatibility of the adjacent area. Because the federal has
14 already determined that the area is appropriate for surface
15 mining. In general, you may look at the appropriateness of a
16 particular application.

17 MR. TOY: I see. So it's not the other way. I mean it's
18 one way -- okay. All right. That's clear. Thank you.

19 MS. FELDMAN: Please continue. And since the timing, you
20 have another 20 minutes and we need enough time to discuss
21 what our next step is.

22 MR. RYAN: Okay. Relative to air quality, the applicant
23 has been reviewing any and all options to minimize air quality
24 impacts of the project. Some of the mitigation measures that
25 have been included in the ER or have been identified to the
26 public comment process include the use of best available
27 control technology. And again. I'll try not to duplicate what
28 Mr. Powell has said previously. But just a word on Rule 403.

1 The project will implement the South Coast Air Quality
2 Management District's approved Rule 403, Fugitive Dust Control
3 Plan.

4 We have had recent meetings with the AQMD, have
5 talked to them about enhanced control measures. The applicant
6 is currently reviewing these for applicability to the project.
7 However, it's a good bet that many of those measures could be
8 utilized. The 403 Program prohibits visible dust from the
9 property line and limits of the facility. I'm sorry -- and
10 limits the facility concentration of PM-10 at the fence line
11 to 50 micrograms per cubic meter.

12 MS. FARGO: I'm sorry. Would you repeat the last two
13 sentences?

14 MR. RYAN: Okay. The 403 program prohibits visible just
15 from the property line. And limits the facility-generated
16 concentrations of visible dust at the fence line to 50
17 micrograms per meter. TMC is committed to strict Rule 403
18 compliance. With the success of fugitives dust control
19 programs on larger projects that the district has oversight
20 on, one is the Eastside Reservoir Project. We are confident
21 that compliance can be achieved. We will however continue to
22 work with the district to achieve the best possible result,
23 with respect to PM-10.

24 Another measure EPA and Air Resources Board
25 certified engines will be used for all diesel-powered
26 equipment. And the applicant has agreed to utilize engines
27 certified by the EPA and the ARBY. One of the major things
28 that Mr. Powell mentioned, is the use of conveyors rather than

1 hauling, which would result in the reduction of PM-10
2 emissions by almost one-third over those levels that were
3 projected in the ER.

4 The applicant has also been reviewing information
5 relative to Valley Fever and crystal and silicate. We are not
6 really prepared to address those issues in detail right now,
7 but we do believe that the potential for substantial effects
8 from either of these is very low. For instance, with Valley,
9 Fever, we do know that the spores that cause the disease,
10 known as Valley Fever reside in the top four to six inches of
11 top soil. The principle risk then from mining come from the
12 initial surface disturbance from new mining areas. The mining
13 activity itself, which seeks a deeper mineral resource, really
14 poses no significant risk of releasing Valley Fever spores.

15 The project affects some 232 surface acres over a 20
16 year period. You could say that's about 12 acres per year.
17 Thus relative to civil disturbance, the development activity
18 in Santa Clarita really presents -- let me just say, compared
19 to the development activity in the greater Santa Clarita area,
20 that Valley Fever risks posed by the project is very low.

21 Relative to crystal and silicate, again, we're still
22 looking at this issue, there are standards for workers' safety
23 that must be met and there are methods to protect workers in
24 mines from crystal and silicate exposure. Conventional wisdom
25 is that if the occupational standards are met within the plane
26 of boundaries, that the surrounding populations can also be
27 protected. We also know that the minerals on this particular
28 site have a very low proportion of crystal and silicate. And

1 that is less than five percent compared with other mineral
2 deposits in Southern California that have on the order of 20
3 to 50 percent crystal and silicate proportions. But more on
4 that issue later.

5 Relative to water supply, ER analysis shows that
6 there are sufficient water resources available for the project
7 in normal and wet years. The ER goes on to provide two
8 important programs to mitigate potential impacts to water
9 resources during the dry years. A habitat protection plan,
10 which include monitoring any actions to be taken to protect
11 the riparian and aquatic habitat in the vicinity of the
12 project and at the downstream, habitat of the unarmored
13 three-spined stickle back, will be implemented. This habitat
14 protection plan has been reviewed us U.S. Fish and Wildlife
15 Service. It was approved as part of their biological opinion.

16 The applicant is also committed to a water shortage
17 contingency plan, which provides in cutbacks in water usage,
18 whenever a water shortage is declared by the water purveyors
19 of the Santa Clarita Valley. These measures protect both the
20 nearby habitat as well as downstream users. As a final
21 protection, the Division of Water Rights will make a
22 determination of water availability for the project.

23 MS. CAMPBELL: Mr. Powell, could you address yourself to
24 the comment, I believe it of Mr. Rent who talked about the
25 high level of nitrate in the materials that are on the site
26 and the impact of the water -- that the nitrate has on the
27 water supply.

28 MR. POWELL: I haven't really had a chance to take a look

1 at that issue to understand what his argument really is
2 because I haven't reviewed that particular letter yet.

3 MS. CAMPBELL: Okay. So we'll come back on that.

4 MR. POWELL: I'll comment on that later, if possible.

5 MR. RYAN: Relative to water quality, the project
6 includes a number of measure of protect water quality. There
7 will be no processed water discharges to the river. Processed
8 water will be treated and recycled on site. This is as
9 significant positive design feature for this particular
10 project. The 70 silting and debris basins are included in the
11 project drainage plan. These drainage basins collect all run
12 off from the active mining areas. None of this run off will go
13 directly into creeks or rivers; the technical appendices for
14 the ER include a detailed storm water pollution prevention
15 plans and spilled containment and counter measure programs,
16 which show the extensive level of detail that this project
17 goes to, to protect unauthorized and accidental discharges to
18 the river.

19 Lastly, I'd like to address traffic. Traffic is
20 another issue that's generated substantial comment. I think
21 it's appropriate to point out that the traffic analysis was
22 prepared in conformance with Los Angeles County guidelines and
23 involve work directly with traffic and lighting division. The
24 traffic study was submitted to the Trustline Division two
25 separate times. Each time it was substantially revised to
26 meet the Divisions' comments and mitigation requirements. All
27 of the mitigation -- let me back up. All the significance
28 criteria used in the study, such as the use of passenger car

1 equivalents, the traffic index analysis calculations, the
2 level of service calculations have all been approved by county
3 traffic and lighting. All of the mitigation measures that
4 were suggested by Traffic and Lighting have been incorporated
5 as well.

6 Another frequent comment had to do with the lack of
7 analysis of freeway impacts due to truck hauling. The
8 proposed project does not exceed the criteria contained in the
9 congestion management plan for conducting freeway analysis.
10 That's at least why there was no freeway analysis in the ER.
11 The TMC project is projected to add traffic to the Antelope
12 Valley freeways, south of Soledad Canyon Road interchange.
13 The added volumes in the a.m. peak hour are 41 northbound and
14 47 southbound trips. In the peak hour they are 19 northbound
15 and 29 southbound trips. These volumes are less than
16 one-third of the 150 peak hour volume criteria which the
17 Congestion Management Plan indicates should be measured in one
18 direction. Indicating that the TMC project really does not
19 impact freeway operations. Consequently, since that
20 significance criteria was not exceeded, there was no freeway
21 analysis included in the ER.

22 That is an initial introduction to issues that are
23 substantial and kind of gives you an idea of where we're going
24 with the response. And again, we'd like to reserve right to
25 give more detailed testimony later.

26 MS. FELDMAN: Okay. All right. Any questions?

27 MS. FARGO: I do have a question. Mr. Ryan, is there any
28 type of mining facility that could be conducted on this site

1 without admitting any fugitive dust?

2 MR. RYAN: I don't think so. I think that the aspect of
3 excavation of earth, the handling of the earth, that you would
4 never get -- you couldn't achieve zero emissions, nor is that
5 really required by regulation.

6 MS. FELDMAN: Follow up on that question. Is there any
7 kind of mining operation that could be conducted on a site
8 that would not require blasting under current technology?

9 MR. RYAN: Well, blasting is really a function of the
10 material that's being blasted. And frankly, I'm not that up
11 on the technology that's involved with excavation, to be able
12 to give you an answer. I would have to defer to the
13 applicant's expertise in that.

14 MS. FARGO: Following up on mine, then. A mining-type of
15 operation just inherent with it then, regardless of the best
16 control that you can implement or the requirements of the
17 ACCOUNT, under the scenario of a mining operation there will
18 be fugitive dust. Is that a correct statement?

19 MR. RYAN: Yes. There will be some level of fugitive
20 dust.

21 MR. FARGO: And in the ER it talks about the PM-10s and
22 the NO-2s, I think, and the CO-3s. You made a statement that
23 subsequent to this and based on the testimony that this
24 analysis in here drew other measures that you could implement,
25 would be reduced approximately a third. In other words, the
26 draft ER makes a comment of significance under air quality.
27 But from what I though you said, there were things you could
28 do over and above the analysis in this document that would

1 reduce this about a third from what the analysis of the ER.
2 But it would still have a significant threshold; is that
3 correct?

4 MR. RYAN: Yeah. The third was the PM-10 emission
5 primarily.

6 MS. FARGO: But even if those were reduced by a third,
7 would they still be considered significant?

8 MR. RYAN: You know, I haven't seen our most recent
9 compilation on the total emissions after incorporating all of
10 these measures.

11 MS. FARGO: They would still be significant even with the
12 additional things that you said you could do?

13 MR. RYAN: They would be significant within the context of
14 the AQMD's thresholds for daily emissions of pollutants.

15 MS. FELDMAN: Any other questions?

16 MS. CAMPBELL: Yeah, I had a question and perhaps it
17 would be Mr. Powell who would answer it. But again going back
18 to the testimony of the owner of the site, he said that --
19 Mr. Curtis said that there was a particular machine that
20 Caterpillar, or some other company had developed that did not
21 require blasting. Could you speak directly to that and tell
22 us if A) you know of that and B) why it's not appropriate for
23 site, given that he said that he used it at this site with the
24 same aggregate.

25 MR. POWELL: We've done some drilling with sand and
26 gravel conglomerate deposit, a very hard sand and gravel
27 conglomerate deposit. Based on our findings, we just don't
28 think a dozer would work. We have dozers at other facilities.

1 We're very familiar with what dozers can do. Based on this
 2 deposit here, I don't think that's -- it's going to be
 3 feasible to mine that particular deposit. As Mr. Curtis said,
 4 he did blast for a number of years. I think he said the last
 5 five years he said he was able to doze some material. I don't
 6 know if -- where that material was on that site. I don't know
 7 if it was virgin material or material that had been previously
 8 blasted. I'm not sure what he was doing those last five
 9 years, but I know he blasted prior to that. And we just don't
 10 think a dozer's going to be able to handle that material.

11 MS. CAMPBELL: Okay. But you're saying that you don't
 12 think that it can.

13 MR. POWELL: Based on our analysis, it can't.

14 MS. CAMPBELL: Based on your analysis of what? That you
 15 used those dozers for material that's not as hard and it
 16 wasn't effective? I don't understand what you're saying.

17 MR. POWELL: Just based on the analysis of that type of
 18 material. We've had other operations in different types of
 19 material. Based on the core drillings that we did all over
 20 that site, that material doesn't lend itself to --

21 MS. CAMPBELL: It's just much too hard or whatever?

22 MR. POWELL: Yes.

23 MS. FELDMAN: How close to the site do you live?

24 MR. POWELL: Takes me about 12 minutes to get there. So
 25 I'm assuming probably 12 or 15 miles. I live over in Saugus.

26 MS. FELDMAN: So you live over in the area. Okay.
 27 Commissioner?

28 MR. PEDERSON: Thank you Madam Chair. Before I make my

1 motion, are you -- is that all the testimony at this time,
2 rebuttal?

3 MS. FELDMAN: We had agreed they have additional time.

4 MR. PEDERSON: Before I make the motion, I just want to
5 make a very brief comment. I want to thank the applicant and
6 all the people who represented the applicant throughout this
7 procedure because I know you've been very patient with some of
8 my motions in which I've asked for a continuance with the
9 comment period and the ER. And I appreciate the fact that you
10 sat there and still cooperated with us throughout the thing.

11 I also want to thank very much the representative
12 who came down from the City of Santa Clarita and the
13 surrounding area. You were well prepared, you were articulate,
14 and I thought you presented yourselves well. I thank you very
15 much for the way you conducted yourselves at this hearing.
16 It's very volatile and very important to your area.

17 Having said that, this is my motion. I move that we
18 close the public hearing for purposes of oral testimony, with
19 the exception of written rebuttal, if needed, after the close
20 of written testimony.

21 We will accept written comments on the ER until
22 November 15, 1999. I move that this item be continued for
23 rebuttal testimony, if necessary, and discussion by the
24 commission to December 1, 1999 at nine a.m.

25 MS. HOLT: December 1stt is a Wednesday?

26 MR. PEDERSON: Wednesday. It's a regular Wednesday.

27 MS. FARGO: I second that motion.

28 MS. FELDMAN: I do think we need -- do need rebuttal and

1 we did tell the applicant today, that they would, in fact,
2 have rebuttal.

3 I'd like to add that I would like Staff to get back
4 to us with some information -- a little bit more detailed
5 information -- on the number of aggregate sites in the county.
6 If you could make sure you provide that to us in writing, some
7 kind of a chart, location whether or not they are permitted.
8 Note that. And I'd also like clarification on the
9 requirements set by the South Coast Air Quality Management
10 District that were mentioned today. There was a little bit of
11 conflicting information on exactly what limits they do require
12 on particulate matter.

13 MS. FARGO: And I have one question too, that I probably
14 should have asked Mr. Ryan. We've used a couple of different
15 terms with the dust emission and many of us have been talking
16 about particulate dust. But you mentioned visible. Could you
17 define the difference when you're looking at some of these
18 standard, please.

19 MS. FELDMAN: Okay. Anything else? All right. We have
20 a motion to second. Those in favor? Thank you very much.
21 Thank you for coming. I've got couple other housekeeping
22 matters. I would like to bring and item up that's on the
23 hearing officer agenda. I would like to bring it up before
24 the planning commission. And that is -- give a couple minutes
25 for everyone to clear out. If those of you who are leaving
26
27
28

1 could do so as efficiently as possible, we still have
2 some busniess to conduct. Thank you. It's conditional use
3 permit 97-180.

4
5 (The hearing proceedings were
6 concluded at 12:30 p.m.)
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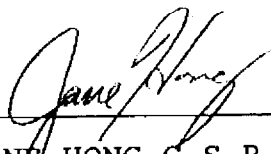
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

I, JANE HONG, Certified Shorthand Reporter No. 11975
in and for the State of California, do hereby certify:

That the foregoing transcript of proceedings, Pages
26 through 59, was taken before me on September 22, 1999, at
the place set forth, and was taken down by me in shorthand,
and thereafter transcribed into typewriting under my direction
and supervision; and I hereby certify that the foregoing
transcript of proceedings is a true and correct transcript of
my shorthand notes so taken.

I further certify that I am not of counsel of
attorney of the parties hereto or in any way interested in the
events of this case and that I am not related to either of the
parties thereto.

WITNESS my hand this 15th day of November, 1999.

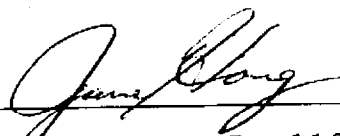

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CERTIFIED COPY CERTIFICATE

I, JANE HONG, Certified Shorthand Reporter, No. 11975, hereby certify that the foregoing proceedings is a correct and certified copy of the proceedings, Pages 23 through 59, taken before me on September 22, 1999, as thereon stated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California, this 15th day of November, 1999


JANE HONG C.S.R. 11975

Concordance Report	58:7, 26; 59:5, 22	34:23	14:20	59 [2]
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From week's to zoning

California
DEPOSITION REPORTERS

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BEFORE THE REGIONAL PLANNING COMMISSION

OF THE COUNTY OF LOS ANGELES

IN THE MATTER OF:

SURFACE MINING PERMIT 91-165-(5)

TRANSIT MIXED CONCRETE COMPANY

TO AUTHORIZE THE SURFACE MINING OF CONCRETE

AGGREGATE, SAND AND GRAVEL AND THE OPERATION

OF A CONCRETE BATCH PLANT AND APPURTENANT

FACILITIES; TO AUTHORIZE A RECLAMATION PLAN

FOR THE MINED LAND 12101 SOLEDAD CANYON ROAD

SOLEDAD ZONED DISTRICT

REPORTER'S PARTIAL TRANSCRIPT OF PROCEEDINGS

ROOM 150 HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

WEDNESDAY, DECEMBER 1, 1999
9:00 A.M. - 12:30 P.M.

REPORTED BY:
DEIDRE P. CHARLES
CERTIFIED SHORTHAND REPORTER
LICENSE NO. 11461

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Shapery Center

APPEARANCES

REGIONAL PLANNING COMMISSION:

MS. FELDMAN, CHAIRMAN

MS. CAMPBELL, VICE CHAIRMAN

MR. PEDERSON, COMMISSIONER

MR. TOY, COMMISSIONER

MS. VARGO, COMMISSIONER

MR. CULBERTSON, ADMINISTRATOR

MS. FRIES, COUNTY COUNSEL,

MS. RUIZ, PUBLIC WORKS

CAPTAIN STOKES, FORESTER & FIRE WARDEN

MS. ROSIE RUIZ, SECRETARY

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, DECEMBER 1, 1999

2 9:00 A.M.

3 ---000---

4 *****

5
6
7 MS. FELDMAN: REGIONAL PLANNING COMMISSION IS BACK
8 IN SESSION. EVERYONE PLEASE TAKE THEIR SEATS. SURFACE
9 MINING PERMIT 91-165.

10 MS. MOORE?

11 MR. CULBERTSON: MADAM CHAIRMAN, DID YOU WISH TO
12 DISPOSE OF ITEM NO. 14?

13 MS. FELDMAN: YES, I'M SORRY.

14 *****

15 MS. FELDMAN: THANK YOU.

16 MS. MOORE?

17 MS. MOORE: GOOD MORNING, MADAM CHAIRMAN, MEMBERS
18 OF THE COMMISSION. ITEM NO. 10 IS THE CONTINUED PUBLIC
19 HEARING FOR SURFACE MINING CASE NO. 91-165-(5). AS YOU
20 MAY RECALL AT THE LAST PUBLIC HEARING ON SEPTEMBER THE
21 22ND, WE LEFT OFF AT THE APPLICANT'S REBUTTAL. THEY HAD
22 GIVEN PART OF THEIR REBUTTAL, AND WE'RE GOING TO
23 CONTINUE WITH THEIR REBUTTAL TODAY.

24 THE COMMISSION HAD EXTENDED THE PUBLIC
25 COMMENT PERIOD ON THE DRAFT EIR UNTIL NOVEMBER 15TH OF
26 THIS YEAR. DURING THAT EXTENSION PERIOD, THERE WERE 13
27 ADDITIONAL COMMENT LETTERS RECEIVED. THESE LETTERS WERE
28 PROVIDED TO THE COMMISSIONERS LAST WEEK IN YOUR PACKETS. 3

1 INCLUDED IN AMONG THOSE LETTERS, WAS A TRANSMITTAL FROM
2 5TH DISTRICT SUPERVISOR MIKE ANTONOVICH. THE ANTONOVICH
3 LETTER REQUESTS THAT THE COMMISSION TAKE THE MINING
4 PROJECT OFF CALENDAR UNTIL SUCH TIME THAT THE DRAFT EIR
5 AND THE FEDERAL DRAFT EIS ARE UPDATED AND CIRCULATED FOR
6 PUBLIC COMMENT.

7 NOW, THE APPLICANT HAS ALSO SUBMITTED A
8 LETTER TO THE COMMISSION THAT WAS ALSO INCLUDED IN YOUR
9 PACKET LAST WEEK. THAT LETTER INCLUDES REBUTTAL
10 TESTIMONY, ADDRESSES ISSUES RAISED BY SUPERVISOR
11 ANTONOVICH AND REQUESTS THAT THE COMMISSION ALLOW THEM
12 TO COMPLETE THEIR ORAL REBUTTAL TODAY. AND THEN THEY'RE
13 REQUESTING A VOTE ON WHETHER TO APPROVE OR NOT TO
14 APPROVE THE PROJECT.

15 NOW, I KNOW THAT COMMISSIONERS PREFER NOT
16 TO RECEIVE LAST-MINUTE INFORMATION, HOWEVER, IT IS KIND
17 OF UNAVOIDABLE. STAFF HAD TO PROVIDE THE COMMISSIONERS
18 WITH A MEMO THIS MORNING. THAT MEMO IS DATED NOVEMBER
19 30TH AND IT LOOKS THICK, BUT THERE'S A BIG ATTACHMENT TO
20 IT. THE PURPOSE OF THAT MEMO WAS TO PROVIDE THE
21 COMMISSIONERS WITH SOME SUPPLEMENTAL INFORMATION WHICH
22 HAD BEEN MISSING FROM THE STAFF REPORT ADDENDUM
23 REGARDING THE 18 PERMITTED AGGREGATE RESERVE LOCATIONS
24 THAT WERE IDENTIFIED ON THE MAP THAT WAS SUBMITTED TO
25 THE COMMISSIONERS, AND WAS REQUESTED BY THE
26 COMMISSIONERS AT THE SEPTEMBER 22ND HEARING.

27 AGAIN, THERE ARE ONLY 18 PERMITTED
28 AGGREGATE RESERVED LOCATIONS WITHIN THE COUNTY OF LOS

1 ANGELES. THREE OF THESE LOCATIONS ARE WITHIN THE
2 SOLEDAD CANYON.

3 THE MEMO ALSO INCLUDES SOME INFORMATION
4 REGARDING THE SCAQMD'S, PARTICULAR AT MATTER 10,
5 STANDARDS, BUT THERE WERE SOME, I GUESS, CONCERN OVER
6 CONFLICTING TESTIMONY AT THE LAST HEARING AND SO STAFF
7 WANTED TO PROVIDE THAT INFORMATION TO THE COMMISSIONERS.

8 AND IN ADDITION, WE HAVE A STAFF GEOLOGIST
9 WITH THE CALIFORNIA DIVISION OF MINES AND GEOLOGY, MR.
10 RUSS MILLER, HE IS PRESENT HERE TODAY, AND IS AVAILABLE
11 TO RESPOND TO ANY QUESTIONS THAT COMMISSION MAY HAVE
12 REGARDING THE STATE REPORTS OR AGGREGATE NEED ISSUES.

13 MS. FELDMAN: BEFORE WE JUMP INTO THE HEARING, I
14 THINK THERE'S AN IMPORTANT LEGAL QUESTION THAT NEEDS TO
15 BE ANSWERED BY YOU, MS. FRIES, PARTICULARLY RESPONDING
16 TO THE LETTER FROM SUPERVISOR ANTONOVICH.

17 WHAT IS THE LEGAL -- WHAT ARE THE LEGAL
18 ISSUES SURROUNDING THE REVIEW OF THE EIR AND EIS AND ARE
19 WE IN FACT REQUIRED TO LOOK AT THE EIS IN PARALLEL OR ON
20 CONJUNCTION WITH THE EIR BEFORE WE MAKE A DECISION?

21 MS. FRIES: ACTUALLY IN THIS CASE, YOU ARE NOT.
22 IT MAY SEEM STRANGE. NORMALLY ANY INFORMATION THAT'S
23 REQUIRED TO BE IN THE EIS'S IS AT LEAST THAT MUCH IS
24 REQUIRED TO BE IN THE EIR. AND SEQUA (PH.) IS AT LEAST
25 AS STRINGENT AS NEEFA (PH.) IS HOWEVER, THE SPECIFIC
26 INFORMATION THAT HAS BEEN ADDED TO THE EIS IS NOT THE
27 KIND OF INFORMATION THAT LEGALLY REQUIRES YOU TO
28 RECIRCULATE A NEW DRAFT EIR. THERE'S INFORMATION --

1 THERE ARE THREE DIFFERENT PIECES OF INFORMATION THAT
2 HAVE BEEN PUT INTO THE EIS. IT'S MY UNDERSTANDING THAT
3 THE FEDERAL GOVERNMENT HAS NOW IDENTIFIED THE PREFERRED
4 ALTERNATIVE, WHICH IT HAD NOT DONE BEFORE. THAT,
5 HOWEVER, WAS ALSO THE PREFERRED ALTERNATIVE THAT STAFF
6 IS RECOMMENDING AND THAT INFORMATION IS ALREADY IN YOUR
7 EIR.

8 THE SECOND PIECE OF INFORMATION ADDED TO
9 THE EIS CONCERNS A NEW MITIGATION MEASURE WHICH CONSISTS
10 ESSENTIALLY OF A CONVEYER BELT. THAT NEW MITIGATION
11 MEASURE DOES NOT ADD ANY IMPACTS TO THE PROJECT, IT ONLY
12 REDUCES IMPACTS. IT DOESN'T REDUCE THE IMPACTS THAT
13 WERE PREVIOUSLY FOUND TO AN INSIGNIFICANT LEVEL, BUT IT
14 DOES REDUCE THEM SOMEWHAT MORE THAN THE ALTERNATIVE
15 MITIGATION MEASURE.

16 AND THIS IS A MITIGATION MEASURE THAT THE
17 APPLICANT IS PROPOSING TO INCORPORATE INTO THE PROJECT.
18 AND IT JUST HAPPENS THAT UNDER THE SEQUA STATUTE AND
19 SEQUA GUIDELINES, THAT TYPE OF INFORMATION DOES NOT
20 REQUIRE FURTHER PUBLIC REVIEW. THERE'S NOTHING TO
21 PREVENT YOU FROM SOLICITING FURTHER PUBLIC REVIEW OF
22 THAT MITIGATION MEASURE. BUT BECAUSE IT DOESN'T
23 INCREASE ANY IMPACTS, BECAUSE IT'S BEEN PROPOSED BY THE
24 APPLICANT AND IT ONLY REDUCES IMPACTS THAT WERE ALREADY
25 IDENTIFIED IN THE EIR, IT'S NOT SOMETHING THAT YOU MUST
26 SEND OUT FOR PUBLIC REVIEW.

27 AND THE THIRD INFORMATION THAT'S IN THE
28 EIS, I UNDERSTAND, IS SIMPLY ADDITIONAL DETAIL ON THE

1 PREFERRED ALTERNATIVE, BECAUSE IN THE EIS, SINCE IT
2 WASN'T -- SINCE IT WAS JUST AN ALTERNATIVE, IT WASN'T A
3 PROPOSAL. THERE WAS VERY LITTLE INFORMATION ON THAT.
4 AND FEDERAL LAW REQUIRES THAT IT BE GIVEN AT LEAST AS
5 MUCH DETAIL AS THE PROJECT THAT WAS ORIGINALLY PROPOSED.
6 BUT SUFFICIENT INFORMATION IS IN THE EIR CONCERNING
7 THAT -- THAT ALTERNATIVE.

8 IF YOU DO CHOOSE TO SEND OUT FOR PUBLIC
9 REVIEW, ADDITIONAL PUBLIC REVIEW THE MITIGATION MEASURE
10 CONCERNING THE CONVEYER BELT, I WOULD SUGGEST THAT THE
11 EIR SHOULD ALSO BE REDESIGNED TO SHOW THAT THE NEW
12 PROPOSED PROJECT IS THE REDUCED NORTH MINES ALTERNATIVE,
13 WHICH NOW IN THE EIR IS JUST LISTED AS AN ALTERNATIVE.
14 IT APPEARS NOW THAT THAT IS THE PROJECT.

15 SO IF, ALTHOUGH NOT REQUIRED, IF THE
16 COMMISSION CHOOSES TO GIVE FURTHER PUBLIC REVIEW OF THE
17 CONVEYER BELT MITIGATION MEASURE, I WOULD RECOMMEND THAT
18 THE EIR ALSO BE REDESIGNED TO MAKE IT A LITTLE MORE
19 CLEAR WHAT EXACTLY THE PROJECT IS TO DATE.

20 MS. FELDMAN: COULD YOU ALSO THEN REVIEW FOR US
21 BASED ON WHAT YOU'VE JUST SAID, WHAT OUR OPTIONS ARE
22 TODAY? WHERE WE ARE IN THE PROCESS AND WHAT OUR VARIOUS
23 CHOICES ARE, ACTIONS AT THIS POINT.

24 MS. FRIES: YOU COULD TAKE FURTHER TESTIMONY, EVEN
25 THOUGH THE PUBLIC HEARING IS STILL OPEN AND THE
26 APPLICANT HAS NOT YET PRESENTED REBUTTAL. YOU COULD,
27 AFTER TAKING TESTIMONY, CLOSE THE HEARING AND DELIBERATE
28 AND POTENTIALLY VOTE. YOU COULD CONTINUE THE MATTER AND 7

1 ALLOW STAFF TO FURTHER REVIEW THE NEW PROPOSED
2 MITIGATION MEASURE, THE CONVEYER BELT WHICH I UNDERSTAND
3 WAS ONLY VERY, VERY RECENTLY GIVEN TO STAFF AND I'M NOT
4 SURE HOW MUCH INFORMATION YOU REALLY HAVE IN YOUR PACKET
5 REGARDING THAT.

6 YOU COULD ADDITIONALLY, IF YOU CONTINUE THE
7 MATTER, RECIRCULATE THE DRAFT EIR WITH ALL THAT
8 ADDITIONAL INFORMATION. ALTHOUGH IT'S NOT REQUIRED,
9 THAT IS CERTAINLY AN OPTION.

10 MS. FELDMAN: NORMALLY, AT LEAST THE NORMALLY --
11 AS MUCH NORMALLY AS WE HAVE, WHEN THERE'S A MAJOR
12 REDESIGN BY THE APPLICANT, WE HAVE CONTINUED THE ITEM SO
13 THAT WE GET ALL OF THE INFORMATION ON THE REDESIGN
14 BEFORE WE CONTINUE TAKING TESTIMONY. I DON'T WANT TO
15 KEEP TAKING TESTIMONY ON AN OLD PROPOSAL THAT'S NOT
16 REALLY THE PROPOSAL THAT'S BEFORE US.

17 MS. CAMPBELL: WELL EXCEPT THAT MS. MOORE, ISN'T
18 IT TRUE THAT THIS NORTH AREA MINE DISCUSSION HAS REALLY
19 BEEN ON THE TABLE FOR SOME TIME, SO IT WAS SOMEWHAT
20 SURPRISING THAT BEING OUT WITH THEM AND THE FEDERAL
21 GOVERNMENT WERE SAYING THEY NEEDED TO DO A SUPPLEMENT TO
22 THE EIS BECAUSE OF IT.

23 I MEAN, AS YOU MIGHT RECALL WHEN THEY DID
24 THEIR BIG PRESENTATION NORTH AREA MINE WAS A PART OF
25 THAT. AND I MEAN, VERY MUCH A PART OF IT. SO, I DON'T
26 THINK -- I WILL SAY THAT ONE OF THE QUESTIONS THAT I HAD
27 AND IN MAKING NOTES ON WHAT YOU WERE SAYING, MS. FRIES,
28 IS THAT ABOUT IT WOULD THE NEW PROJECT. I KNEW THAT IT

1 WAS THEIR PROJECT. I JUST DIDN'T REALIZE THAT IN THEIR
2 APPLICATION, I GUESS, THAT TECHNICALLY THEY HADN'T
3 DEFINED IT THAT WAY, BUT THAT CERTAINLY IS A
4 TECHNICALITY. AND I FRANKLY THINK THAT WE'VE PUT THIS
5 THING OFF SEVERAL TIMES AND I DON'T SEE NO REASON TO PUT
6 IT OFF ANY FURTHER, ESPECIALLY IN LIGHT OF THE COMMENTS
7 THAT OUR COUNSEL JUST RELAYED TO US, WHICH IS THAT
8 REALLY A MITIGATION MEASURE IS CERTAINLY -- I MEAN,
9 CAN'T IMAGINE THAT THAT WOULD BE THE BASIS FOR
10 RECIRCULATING AN EIR.

11 MR. PEDERSON: MADAM CHAIRMAN, MAY I RESPOND TO
12 THAT PLEASE?

13 I UNDERSTAND THE PRESENT STATUS OF THIS
14 PARTICULAR HEARING -- AND WE'RE AT THE POINT RIGHT NOW
15 FOR REBUTTAL TESTIMONY AND REBUTTAL EVIDENCE IS TO BE
16 GIVEN. AND I UNDERSTAND THAT WE HAVE HEARD A LOT ABOUT
17 THIS PROJECT. AND MYSELF, I WAS PREPARED PROBABLY TWO
18 MONTHS AGO, PREPARED TO MAKE A VOTE ON IT. I'VE HEARD
19 EVERYTHING THAT HAD BEEN PRESENTED. I HAD NOT HEARD
20 REBUTTAL. I WAS WAITING FOR THE REBUTTAL, BUT I WAS AT
21 LEAST PREPARED.

22 AT THE LAST 11TH HOUR, THIS OTHER
23 ADDITIONAL PART WAS BROUGHT IN, WHICH WAS THE CONVEYER
24 BELT SYSTEM, WHICH MAY HAVE A SIGNIFICANT IMPACT ON THE
25 OVERALL PROJECT. AND MY CONCERN IS THAT THIS PROJECT
26 WHICH WILL NOT END AT THIS LEVEL, WHICH WILL EVENTUALLY
27 RISE TO OTHER LEVELS REGARDLESS OF WHAT WE DO HERE
28 TODAY, THAT A COMPLETE RECORD BE SENT ALONG WITH THE

1 PROJECT INCLUDING THAT TESTIMONY AND THAT EVIDENCE
2 CONCERNING THE CONVEYER BELT SYSTEM. THE REASON FOR
3 THAT IS THAT IF IT GOES BEYOND WITHOUT THAT ADDITIONAL
4 IMPACT ANALYZED, ITS IMPACT POSSIBLY ON AIR, ITS IMPACT
5 ON DUST, ITS IMPACT ON SEVERAL ITEMS OUT THERE, THAT
6 WE'RE GIVING A INCOMPLETE RECORD OF WHAT IT WAS.

7 I AGREE WITH COMMISSIONER CAMPBELL THAT I
8 WAS READY TO VOTE TWO MONTHS ON THE ISSUE, BUT I AM NOT
9 GOING TO DO IT THIS TIME. MY INTENTION IS TO REQUEST A
10 CONTINUANCE FOR THE PURPOSE OF OBTAINING ALL INFORMATION
11 OF UPGRADING THE REPORT OF THE EIR TO INCLUDE THIS PART
12 OF IT, SO THAT WHEN IT DOES COME TO A VOTE, WE WILL HAVE
13 A COMPLETE RECORD. THAT'S WHERE I STAND ON IT.

14 MR. TOY: LET ME FOLLOW UP ON THAT MADAM CHAIRMAN,
15 AND A COMMENT THAT COUNTY COUNSEL HAS MADE, BOTH, I
16 THINK YOU TRIED TO TELL US OR RELAYED TO US THAT
17 TECHNICALLY THE EIS, I MEAN, THERE'S NO REQUIREMENT,
18 CORRECT, FOR US TO HAVE THAT DOCUMENT AND THE EIR
19 DOCUMENT BE RECONCILED IN SOME WAY? I MEAN, THAT'S WHAT
20 I KIND OF GOT FROM YOU. IS THAT THE SCENARIO? AND WHY
21 WOULD THAT BE ESPECIALLY IF THE LETTER FROM SUPERVISOR
22 ANTONOVICH IS TALKING ABOUT DOCUMENTS BEING CONSISTENT.
23 I THINK THAT'S WHAT THE CHAIR WAS SAYING THAT IN THE
24 PAST THERE ARE CHANGES WE DO WANT TO LOOK AT AND TRY TO
25 BE CONSISTENT AND TRY TO MAKE SURE THAT ALL THE FACTS
26 AND POINTS ARE COMING TOGETHER. ARE YOU SAYING THAT THEY
27 WOULDN'T HAVE ANY BEARING ON EACH OTHER?

28 MS. FRIES: WELL, WHAT YOU HAVE BEFORE YOU NOW IS 10

1 THE DRAFT EIR.

2 MR. TOY: CORRECT.

3 MS. FRIES: A FINAL EIR WOULD CERTAINLY
4 INCORPORATE THE INFORMATION THAT'S NOW BEING PUT IN THE
5 EIS. MY POINT IS THAT'S SOMETHING THAT IS LEGALLY
6 REQUIRED TO BE RECIRCULATED AS PART OF A NEW DRAFT EIR.
7 THAT IS INFORMATION THAT CAN, UNDER THE SEQUA GUIDELINES
8 SIMPLY BE INCORPORATED INTO THE FINAL EIR. THE FEDERAL
9 GOVERNMENT HAS CHOSEN TO INCLUDE IT IN THEIR DRAFT EIS,
10 RATHER THAN JUST IN THE FINAL DOCUMENT. BUT LEGALLY
11 UNDER SEQUA, THE TYPE OF INFORMATION THAT'S BEING
12 BROUGHT IN CAN BE INCORPORATED ONLY INTO THE FINAL EIR.

13 MR. TOY: HOWEVER, WOULDN'T IT MAKE SENSE THOUGH
14 FOR US TO UNDERSTAND AND BALANCE AND LOOK AT BOTH --
15 WHATEVER RESULTS OR DOCUMENTS COME OUT OF THE EIS AND
16 THE EIR AND TRY TO RECONCILE THEM AT THIS POINT? OR ARE
17 YOU SAYING JUST LET IT GO AND AT THE FINAL EIR THAT'S
18 WHEN -- YOU KNOW, IF IN FACT THERE ARE DISCREPANCIES AND
19 PROBLEMS, THEN WE TAKE IT UP AT THAT TIME?

20 MS. FRIES: WHAT I'M SAYING YOU'RE NOT OBLIGATED
21 TO PROVIDE THE PUBLIC ANOTHER OPPORTUNITY TO REVIEW THE
22 NEW INFORMATION THAT COULD SIMPLY GO IN THE EIR. IT IS
23 TRUE THAT IT ISN'T A MITIGATION MEASURE THAT DOESN'T
24 APPEAR ANYWHERE IN THE ORIGINAL DOCUMENT AND THERE HAS
25 BEEN NO OPPORTUNITY FOR PUBLIC COMMENT ON IT. SO, YOU
26 MAY FEEL THAT THAT'S SOMETHING THAT YOU WANT TO SOLICIT,
27 BUT IS NOT REQUIRED.

28 MR. PEDERSON: MADAM CHAIRMAN, I'D ALSO LIKE TO 11

1 JUST ADD ONE OTHER THING IF I MIGHT, AND THAT IS THAT
2 THIS IS NOT JUST AN ORDINARY-TYPE HEARING. THIS IS A
3 RATHER MAJOR EVENT AFFECTING A LARGE CONSTITUENCY AND A
4 LARGE AREA AND LARGE POPULATION. AND IT HAS BEEN GOING
5 ON FOR MANY, MANY YEARS PRIOR TO THE TIME THAT THE LOCAL
6 PEOPLE OUT THERE GOT INVOLVED IN. AND I THINK THAT THE
7 EVENTUAL DECISION FROM THIS COMMISSION SHOULD BE VOTED
8 ON BASED ON ALL THE INFORMATION THAT HAS BEEN BROUGHT UP
9 ON THE ISSUE, NOT JUST THE 90 PERCENT OR 95 PERCENT OF
10 IT. I THINK IT'S TOO IMPORTANT AN ISSUE TO PASS ALONG
11 WITHOUT THE RECORD BEING COMPLETE. AND THAT'S WHY I ADD
12 THAT.

13 MS. FELDMAN: LET ME SUGGEST ONE THING, BUT LET ME
14 ASK FIRST, HAVE WE FINISHED TAKING ALL THE OPPOSITION
15 TESTIMONY?

16 MR. CULBERTSON: YES, YOU HAVE CONCLUDED THE
17 OPPOSITION TESTIMONY. I BELIEVE YOU HAVE COMMENCED
18 HEARING AND REBUTTAL, BUT NOT CONCLUDED THE REBUTTAL.

19 MS. FELDMAN: OKAY. WHAT I WOULD SUGGEST THAT WE
20 DO, AND REALLY WE DO NEED TO GIVE THE APPLICANT A CHANCE
21 TO REBUT. AND I THINK THEY ARE HERE TODAY PREPARED TO DO
22 THAT. AND I THINK WE SHOULD TAKE THAT TESTIMONY AND
23 THEN WE'LL MAKE A DECISION ON WHAT WE WANT TO DO AT THAT
24 POINT.

25 MS. VARGO: I WOULD THINK THAT WHAT WOULD
26 APPROPRIATE IS TO WRAP UP THE HEARING ITSELF. GIVE THE
27 APPLICANT THAT OPPORTUNITY TO REBUT; LET THEM PROVIDE US
28 WITH INFORMATION ON THE CONVEYER BELT SYSTEM, I'M SURE

1 THEY ARE PREPARED TO DO THAT, SINCE THEY CAME ALONG WITH
2 THIS AS PART OF A REVISED LESSER PROJECT. AND THEN
3 AFTER WE HAVE HEARD THAT, AND WE GET TO A POINT OF
4 CLOSING THE HEARING AND DELIBERATING, IT WILL BE THEN
5 MORE APPROPRIATE TO DECIDE WHETHER --

6 MS. FELDMAN: WHAT WE'RE GOING TO DO.

7 MS. VARGO: -- WHAT WE'RE GOING TO DO.

8 MR. PEDERSON: I WOULD LIKE TO HAVE THE APPLICANT
9 HAVE THE OPPORTUNITY TO REBUT.

10 MS. FELDMAN: WOULD ALL THOSE WHO WISH TO TESTIFY
11 IN THIS MATTER PLEASE RISE TO BE SWORN IN?

12 MS. VARGO: ACTUALLY, IT'S JUST THE APPLICANT,
13 RIGHT?

14 MS. FELDMAN: RIGHT.

15 MS. VARGO: WELL, IS THIS THE APPLICANT?

16 MS. FELDMAN: WELL, THERE MAY BE OTHER PEOPLE THAT
17 MAY BE CALLED FOR.

18 MS. MOORE: PLEASE RAISE YOUR RIGHT HAND? DO EACH
19 OF YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU MAY GIVE
20 IN THE MATTER NOW PENDING BEFORE THE PLANNING COMMISSION
21 SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BY THE
22 TRUTH?

23 ALL: YES.

24 MS. FELDMAN: WOULD THE APPLICANT PLEASE COME
25 FORWARD? GIVE US YOUR NAME AND ADDRESS FOR THE RECORD.

26 MR. MASTIN: MY NAME IS BRIAN MASTIN M-A-S-T-I-N.
27 MY ADDRESS IS 1201 WEST GLADSTONE.

28 MS. FELDMAN: PULL THE MIKE CLOSER TO YOU.

1 MR. MASTIN: AZUSA, CALIFORNIA. I'M SORRY I HAVE
2 A LITTLE BUG IN MY THROAT TODAY.

3 MS. FELDMAN: WELL, WE HAVE A BAD SYSTEM, SO WE'LL
4 WORK WITH YOU.

5 **1** MR. SHAPIRO: MY NAME IS KERRY SHAPIRO SPELLED
6 K-E-R-R-Y S-H-A-P-I-R-O. AND MY ADDRESS IS 2
7 EMBARCADERO CENTER IN SAN FRANCISCO.

8 MS. FELDMAN: WHICH ONE OF YOU IS GOING TO GO
9 FIRST?

10 MR. SHAPIRO: I WILL GO FIRST.

11 MS. FELDMAN: IF YOU WILL PULL THE MIKE A LITTLE
12 CLOSER TO YOU.

13 MR. SHAPIRO: TODAY IN OUR REBUTTAL WE'D LIKE TO
14 ADDRESS SOME OF THE QUESTIONS THAT WERE RAISED REGARDING
15 THE NEW CONVEYER MITIGATION, AND ALSO TALK ABOUT THE
16 SUPPLEMENT. SO, THAT WILL BE FIRST INHOUSE --

17 MR. TOY: WOULD YOU PLEASE --

18 MS. VARGO: MOVE THE SIGN AWAY.

19 MR. SHAPIRO: OKAY. OUR REBUTTAL TODAY IS GOING
20 TO CONSIST OF TWO THINGS. WE'RE GOING TO TALK ABOUT HOW
21 THE BLM SUPPLEMENT AFFECTS YOUR EIR, AND WHETHER OR NOT
22 YOU TAKE A VOTE. AND THEN WE'RE GOING TO TALK ABOUT THE
23 ISSUES REGARDING WHY THE PROJECT SHOULD BE APPROVED
24 ALONG THE LINES OF WHAT WE STARTED IN SEPTEMBER.

25 JUST A LITTLE BACKGROUND ON WHERE WE STAND
26 RIGHT NOW, THAT TMC HAS WORKED VERY, VERY HARD FOR THE
27 LAST NINE YEARS TO DO A PROJECT THAT HAS TO REALLY
28 ACCOMPLISH A DUAL PURPOSE. WE HAVE TO MEET CONTRACT

1 TERMS AND OBLIGATIONS UNDER OUR FEDERAL AGREEMENT WITH
2 THE BLM, AND WE ALSO HAVE TO DO A PROJECT THAT MEETS THE
3 COUNTY'S ENVIRONMENTAL REQUIREMENTS. AND IT'S BEEN A
4 VERY DIFFICULT ROAD TO GET DOWN THAT PATH, AND I THINK
5 WE'VE GOTTEN TO THE POINT WHERE WE ARE AT THE CLOSURE OF
6 THAT PROCESS. OKAY. AND WE THINK THAT THE COMMISSION
7 NEEDS TO HAVE A SENSE OF PERSPECTIVE OF HOW MUCH WORK
8 HAS REALLY GONE INTO IT AND HOW MUCH TIME AND THE
9 BALANCING OF BOTH FEDERAL AND COUNTY ISSUES WHEN YOU
10 LOOK AT AN ISSUE LIKE WHAT A SUPPLEMENT ON THE FEDERAL
11 SIDE DOES TO THE COUNTY SEQUA PROCESS.

12 WITH THAT IN MIND, YOU KNOW, THERE
13 OBVIOUSLY ARE CONCERNS ABOUT WHAT RECIRCULATION AND WHAT
14 IT MEANS. WE SENT THE LETTER LAST WEEK THAT DETAILED A
15 LOT OF ISSUES ABOUT WHY THERE SHOULD BE NO CIRCULATION.
16 BUT THE BOTTOM LINE IS THIS, AND I AGREE WITH WHAT
17 COUNTY COUNSEL SAID, IS THAT RECIRCULATION UNDER SEQUA
18 IS FOCUSED ON REALLY ONE THING, NEW INFORMATION.

19 BUT NOT JUST ANY NEW INFORMATION, WHAT THEY
20 CALL SIGNIFICANT NEW INFORMATION AND THAT'S A VERY
21 CAREFULLY DEFINED TERM. SIGNIFICANT NEW INFORMATION FOR
22 SEQUA PURPOSES HAS TO DO WITH NEW SIGNIFICANT IMPACTS OR
23 INCREASES IN SIGNIFICANT IMPACTS. THE ONLY OTHER
24 SITUATION FOR RECIRCULATION IS WHERE THERE'S A NEW
25 MITIGATION THAT THE APPLICANT WOULD NOT WANT TO
26 IMPLEMENT.

27 WHAT THE SUPPLEMENT TALKS ABOUT IN TERMS OF
28 IMPACTS IS REDUCING IMPACTS. THAT'S ALL IT TALKS ABOUT 15

1 ARE WAYS TO REDUCE IMPACTS WITH MITIGATIONS. OKAY. A
2 COUPLE OF QUICK POINTS TO RESPOND TO SOME OF THE
3 DISCUSSION. I KNOW PEOPLE ARE USING THE PHRASE A NEW
4 PROJECT. THERE IS NO NEW PROJECT HERE. THERE IS NO NEW
5 PROJECT HERE BECAUSE ALL WE'RE TALKING ABOUT IS A
6 MITIGATION TO REDUCE IMPACTS. WE'RE NOT TALKING ABOUT A
7 NEW ALTERNATIVE. WE'RE NOT TALKING ABOUT A CHANGE TO
8 THE PROJECT DESCRIPTION. WE'RE NOT TALKING ABOUT A
9 DIFFERENT PROJECT. WE'RE TALKING ABOUT A MITIGATION
10 THAT REDUCES AIR QUALITY IMPACTS AND I'VE BEEN DOING
11 THIS WORK FOR MANY YEARS AND I SEE MANY EIRS AND MY
12 PUBLIC COMMENT PERIODS. AND IT'S NOT UNUSUAL DURING THE
13 PROCESS OF PUBLIC REVIEW FOR NEW MITIGATIONS TO COME UP
14 IN THE COMMENT AND RESPONSE PERIOD AND THEN GET
15 INCORPORATED INTO A FINAL EIR. THAT HAPPENS ALL THE
16 TIME.

17 IF THERE WERE NO SUPPLEMENT AND WE WERE
18 JUST TALKING ABOUT THIS MITIGATION, NO ONE WOULD EVEN
19 HAVE AN ISSUE OF RECIRCULATION. IT'S ONLY BECAUSE THIS
20 MITIGATION HAS SHOWED UP IN COLLATERAL DOCUMENT AT THE
21 FEDERAL LEVEL, THAT IT'S BEING LOOKED AT AS SOMETHING
22 MORE THAN IT IS, WHICH IS A RESPONSE BY THE APPLICANT TO
23 AN ISSUE OF PUBLIC CONCERN TO MAKE THE PROJECT A BETTER
24 PROJECT. IT REDUCES THE IMPACTS. AND REALLY THAT
25 CONCEPT IS THE ANTITHESIS OF WHAT SEQUA LOOKS TO.

26 MS. FELDMAN: RATHER THAN THIS DISCUSSION, MAYBE
27 WE COULD GET TO THE REAL SUBJECT MATTER AND DESCRIBE THE
28 CHANGES AND HOW YOU'RE RESPONDING TO ALL THE COMMENTS

1 THAT YOU'VE HEARD OVER THE LAST FEW MINUTES.

2 MR. SHAPIRO: SURE. THE MITIGATION CONSISTS OF A
3 CONVEYER BELT SYSTEM. THE CONVEYER BELT WILL TRANSPORT
4 THE MINE'S MATERIAL FROM THE MINING AREA TO THE NORTH
5 MINES STORAGE AREA.

6 MS. FELDMAN: COULD YOU POINT ALL THAT OUT ON ONE
7 OF YOUR DIAGRAMS PLEASE.

8 MR. SHAPIRO: SURE.

9 MR. MASTIN: I'LL DO IT. ON THE AIR PHOTO IT'S
10 FROM THIS AREA HERE, WHERE THE RIDGE --

11 MS. FELDMAN: STATE YOUR NAME SO THAT THE
12 RECORDING HAS IT.

13 MR. MASTIN: THIS IS BRIAN SPEAKING FOR THE
14 RECORDING. IT WOULD LOOK BETTER ON THE MAP BEHIND YOU,
15 IF YOU DON'T MIND, IF I CAN USE THIS POINTER. THIS IS
16 THE ACTIVE MINING AREA. THIS IS THE HAUL ROADS TO THE
17 NORTH MINE STORE AREA, WHICH IS SHOWN IN GREEN. THE
18 ONLY CHANGE IN THIS PROJECT, THIS NEW MITIGATION IS TO
19 RUN A CONVEYER BELT ALONG THAT HAUL ROAD OVER THE NORTH
20 MINE STORAGE AREA INSTEAD OF USING EARTH MOVING
21 SCRAPERS. THIS REDUCES DUST IMPACTS BY APPROXIMATELY 35
22 PERCENT BY NOT RUNNING EARTH MOVERS OVER A DIRT ROAD TO
23 THE NORTH MINE STORAGE AREA. THAT IS ESSENTIALLY THE
24 ONLY -- THAT IS THE ESSENCE OF THIS MITIGATION.

25 MR. PEDERSON: MR. MASTIN, MAY I ASK ONE QUESTION?
26 DO YOU CONSIDER A 35 PERCENT REDUCTION A SIGNIFICANT
27 ISSUE?

28 MR. MASTIN: IT IS NOT SIGNIFICANT UNDER SEQUA.

1 THE AREA IMPACTS REMAIN SIGNIFICANT UNDER SEQUA. IT IS
2 A SUBSTANTIAL REDUCTION.

3 MR. PEDERSON: THANK YOU.

4 MS. VARGO: MAY I ASK A QUESTION ON THAT?

5 MR. MASTIN: YES, MA'AM.

6 MS. VARGO: IS THE 35 PERCENT REDUCTION NOT OVER
7 THE ENTIRE OPERATION OF THE FACILITY, BUT JUST ON A
8 REDUCTION FROM EARTH MOVER TO A CONVEYER BELT?

9 MR. MASTIN: NO, THAT'S THE TOTAL PM10 EMISSIONS
10 ARE REDUCED BY 35 PERCENT.

11 MS. VARGO: THE TOTAL PROJECT EMISSIONS?

12 MR. MASTIN: YES. WHEN YOU CONSIDER ALL OF THE
13 FACTORS THAT -- THE CURRENT EMISSION FACTORS AND THE
14 CONVEYER MITIGATION.

15 MS. FELDMAN: LET ME SUGGEST THIS, SO THAT WE
16 DON'T GET TOO FAR AFIELD. I KNOW THEY'LL BE A LOT OF
17 QUESTIONS. WE'LL LET THE APPLICANT FINISH THEIR
18 REBUTTAL IF WE CAN AND THEN ASK ALL THE QUESTIONS. I'M
19 SURE YOU HAVE ALL THE THINGS YOU WANT TO ADDRESS.
20 PLEASE CONTINUE.

21 MR. MASTIN: THANK YOU.

22 MR. SHAPIRO: I WANTED TO ADD ONE FINAL POINT ON
23 THAT. I KNOW YOU DON'T WANT TO DWELL TOO MUCH ON THE
24 SEQUA STANDARDS, BUT YEARS AGO, TRANSIT MIXED WANTED TO
25 DO A JOINT DOCUMENT. THE BLM WANTED TO DO A JOINT EIR,
26 EIS. IT WAS THE COUNTY'S DECISION TO SEPARATE THOSE
27 DOCUMENTS AND HAVE SEPARATE ENVIRONMENTAL TRACKS. NOW
28 TRANSIT MIXED PUT A LOT OF TIME IN TRYING TO MAKE THOSE 18

1 TWO DOCUMENTS CONSISTENT WITH EACH OTHER. BUT WHEN YOU
2 HAVE TWO DOCUMENTS THAT GO ALONG TWO DIFFERENT TRACKS
3 AND ONCE THEY GO PUBLIC AND YOU GET DIFFERENT COMMENTS
4 AT DIFFERENT TIMES, OKAY, AND THEY'RE RESPONDING TO
5 DIFFERENT AGENCIES AND MEETING DIFFERENT LEGAL
6 STANDARDS, TO HOLD US TO A REQUIREMENT THAT SOMEHOW
7 THOSE DOCUMENTS ALL THE WAY THROUGH THE PROCESS HAVE TO
8 BE CONSISTENT WITH EACH OTHER IS AN IMPOSSIBLE TASK.
9 THAT WILL NEVER HAPPEN. AND TO PUT THAT BURDEN ON US
10 MEANS WE'LL NEVER GET THROUGH THE PROCESS.

11 AT THE END OF THE PROCESSES AS COUNTY
12 COUNSEL SAID, THEY CAN BE RECONCILED BECAUSE YOU CAN
13 INCORPORATE VARIOUS INFORMATION FROM ONE INTO THE FINAL
14 DOCUMENT TO THE OTHER. BUT RIGHT NOW AT THE DRAFT
15 STAGE -- AT THE DECISION MAKING STAGE HERE, WHICH IS A
16 DIFFERENT STAGE WHERE THE FEDERAL GOVERNMENT IS, IT'S
17 IMPOSSIBLE TO MAKE THOSE TWO DOCUMENTS CONSISTENT.
18 RIGHT NOW --

19 MS. FELDMAN: OKAY. MR. SHAPIRO, THERE WERE A LOT
20 OF OTHER ISSUES THAT CAME UP. DO YOU HAVE OTHER
21 TESTIMONY? ARE YOU GOING TO REBUT SOME OF THESE OTHER
22 ISSUES? LET'S GET TO THOSE.

23 MR. SHAPIRO: OKAY. WE'LL TALK NOW ABOUT --
24 UNLESS THERE'S ANY OTHER QUESTIONS YOU WANTED TO ASK US
25 AT THE MOMENT, WE'LL GO ON TO THE REST OF THE
26 PRESENTATION.

27 MS. FELDMAN: I THINK YOU SHOULD DO YOUR
28 PRESENTATION AND THEN WE WILL ASK QUESTIONS.

1 MR. SHAPIRO: OKAY. THERE ARE FOUR REASONS WHY WE
2 THINK THIS PROJECT SHOULD BE APPROVED TODAY. THE FIRST
3 IS THAT COUNTY STAFF HAS ALREADY RECOMMENDED APPROVAL OF
4 MINING ON THE SITE FOR THE REDUCED NORTH MINE STORAGE
5 AREA. AND THAT WAS THE RECOMMENDATION FOR APPROVAL THAT
6 DIDN'T EVEN INCLUDE THE NEW MITIGATIONS, SO WE JUST MADE
7 THE PROJECT BETTER. SO WE THINK THAT'S A GOOD BASIS TO
8 CONSIDER AN APPROVAL.

9 SECOND, THIS SITE, AS WE'VE DISCUSSED
10 EARLIER, IS DESIGNATED AS A REGIONALLY SIGNIFICANT SITE.

11 THIRD WE FEEL THAT MINING IS THE MOST
12 APPROPRIATE USE OF THIS SITE, GIVEN THAT IT HAS BEEN
13 MINED FOR 20 YEARS ALREADY; HAS BEEN SUBJECT TO A
14 CONDITIONAL USE PERMIT FOR MINING FOR 20 YEARS AND ZONED
15 AND DESIGNATED FOR MINING UNDER ALL THREE LEVELS OF
16 GOVERNMENT, MEANING THE FEDERAL REGULATIONS, THE STATE
17 REGULATIONS AND THE COUNTY'S ZONING AND GENERAL PLAN.

18 WE'RE GOING TO TOUCH ON TWO OF THOSE ISSUES
19 IN OUR REBUTTAL, DESIGNATION AND AGGREGATE NEED. EXCUSE
20 ME, THE LAST REASON IS THAT THE COUNTY NEEDS THE
21 AGGREGATE FROM THIS SITE AND WE'VE TALKED ABOUT THAT AND
22 WE'RE GOING TO EMBELLISH THAT A LITTLE BIT MORE TODAY.

23 FIRST, DESIGNATION. IT'S BEEN ASSERTED BY
24 SOME OF THE PEOPLE IN THE PUBLIC THAT THERE'S BEEN A
25 CHANGE CIRCUMSTANCE IN SANTA CLARITA VALLEY OVER THE
26 LAST TEN YEARS THAT WARRANTS IGNORING OR REVERSING
27 DESIGNATION OF THIS SITE AS A REGIONALLY SIGNIFICANT
28 RESOURCE AREA. IN OTHER WORDS, PROJECT OPPONENTS HAVE

1 BEEN SAYING THAT THE SITE SHOULD NOT BE DESIGNATED AND
2 REALLY SHOULD BE IN THE -- IN A SENSE MINING SHOULD
3 OCCUR SOMEWHERE OTHER THAN SOLEDAD CANYON.

4 AND OUR VIEW IS THAT THIS IS A SOMEWHAT
5 IRONIC POSITION, BECAUSE URBAN DEVELOPMENT IN THE VALLEY
6 IS REALLY PART OF THE REASON WHY THAT SITE WAS
7 DESIGNATED TO BEGIN WITH.

8 WHY? WELL, HISTORICALLY URBANIZATION WHEN
9 IT ENCROACHES ON MINERAL AREAS HAS LED TO THE PERMANENT
10 LOSS OF THOSE MINERALS BECAUSE LOCAL CONCERNS TYPICALLY
11 WILL OPPOSE THE MINING PROJECT. AND DESIGNATION WAS
12 REALLY CREATED TO COUNTER OR AT LEAST BALANCE THE
13 PROCESS OF LOCAL OPPOSITION VERSES THE REGIONAL NEED.
14 THAT'S WHY IT WAS CREATED, TO MAKE SURE REGIONAL
15 INFORMATION WAS IN THE DECISION MAKING PROCESS.

16 SO THE POINT OF DESIGNATION WAS TO PROVIDE
17 ASSISTANCE WHERE RESOURCES WERE THREATENED AND THEY TEND
18 TO BE THREATENED IN THE URBAN AREAS. DEVELOPMENT IN
19 SANTA CLARITA IS NOT A REASON TO GET RID OF DESIGNATION.
20 IT'S A REASON FOR THE DESIGNATION ITSELF. WHAT'S REALLY
21 GOING ON HERE IN THIS NINE-MONTH PROCESS IS THAT WE FEEL
22 PROJECT OPPONENTS REALLY DON'T LIKE THE IDEA OF MINERAL
23 RESOURCE DESIGNATION, AT LEAST NOT IN THEIR PARTICULAR
24 COMMUNITY. BUT THE PROBLEM IS, IF THIS COUNTY WOULD
25 ADOPT A STANDARD WHERE URBAN ENCROACHMENT WOULD BE THE
26 BASIS TO PREVENT MINING OF DESIGNATED MINERALS AND WOULD
27 REQUIRE MINING ELSEWHERE, THERE MAY NOT BE ANY
28 ELSEWHERE (SIC.) TO GO.

1 AND I'D LIKE TO LOOK AT THOSE AREAL PHOTOS
2 FOR ONE MOMENT TO ILLUSTRATE THAT POINT. THESE TWO
3 PHOTOGRAPHS HERE SHOW THE SOLEDAD AREA OVER HERE. AND
4 THIS AREA IS THE AZUSA/IRWINDALE -- A PARTICULAR SITE IN
5 AZUSA/IRWINDALE AREA. NOW, THE WHITE LINES OUTLINE THE
6 DESIGNATED RESOURCES. THIS WHITE LINE HERE, THAT'S THE
7 SMARA DESIGNATION LINE. SIMILARLY ON THE AZUSA SIDE OVER
8 HERE, YOU HAVE ALSO A SMARA DESIGNATION LINE. THE
9 YELLOW LINES WHICH ARE OVER HERE AND HERE AND ON THE
10 AZUSA SITE ALONG HERE, THOSE YELLOW LINES SHOW THE
11 BEGINNING OF THE URBANIZATION OR RESIDENTIAL DEVELOPMENT
12 IN THAT AREA. THE GREEN DOTS THAT YOU SEE ON THESE MAPS
13 SHOW LOCATION OF SCHOOL SITES RELATIVE TO THE DESIGNATED
14 AREAS.

15 NOW AS YOU CAN SEE, THE URBANIZATION IN THE
16 AZUSA AREA IS, IF NOT THE SAME, IT'S PROBABLY CLOSER
17 THAN THE RESIDENTIAL DEVELOPMENT NEAR SOLEDAD CANYON.
18 ALSO THE SCHOOLS -- THERE ARE A LOT MORE SCHOOLS THERE,
19 THEY'RE A LOT CLOSER. SO, IF YOU HAVE A POSITION WHERE
20 PROXIMITY OR DISTANCE BETWEEN URBANIZED USES AND MINING
21 SITES IS A BASIS TO, YOU KNOW, PRECLUDE MINING, YOU'RE
22 GOING TO END UP PRECLUDING MINING IN ALL OF THE
23 DESIGNATED AREAS. NOW WE DON'T HAVE A PHOTO OF
24 PALMDALE, BUT YOU'D SEE THE SIMILAR INFORMATION. THERE
25 IS MORE URBANIZATION IN TERMS OF TOTAL POPULATION IN THE
26 PALMDALE AREA THAN THERE IS IN THE SANTA CLARITA VALLEY.

27 SO SAYING THAT MINING NEEDS TO GO ELSEWHERE
28 AWAY FROM THE DESIGNATED AREA IN SOLEDAD BECAUSE OF

1 ENCROACHING URBANIZATION IS REALLY GOING TO PUT THE
2 COMMISSION OR THE COUNTY INTO A BIND BECAUSE THERE'S
3 NOWHERE ELSE TO GO IN THE COUNTY ONCE YOU DO THAT. THIS
4 IS PROBABLY AS GOOD A LOCATION IN TERMS OF DISTANCE TO
5 RESIDENTIAL AND SCHOOL SITES AS YOU'RE GOING TO HAVE IN
6 ANY OF THE THREE PRODUCTION AREAS FOR MINERAL RESOURCES
7 IN THE COUNTY.

8 AND AT THAT POINT, I WANT TO TURN OVER TO
9 BRIAN, THE ISSUE OF AGGREGATE NEED.

10 **2**

MR. MASTIN: OKAY. I WILL KEEP MY COMMENTS VERY
11 BRIEF. I JUST WANT TO SPEAK TO THE SITUATION WHERE YOU
12 NEED TO VOTE FOR THIS PROJECT BECAUSE YOU NEED THE
13 MATERIALS THAT COME FROM THE PROJECT. AND IF I COULD
14 DIRECT YOUR ATTENTION TO THE MAP BEHIND COMMISSIONER
15 CAMPBELL, I'LL USE MY POINTER. RIGHT NOW, AGGREGATE
16 CONSUMPTION IS BASED ON AGGREGATE -- EXCUSE ME,
17 POPULATION. CURRENTLY THIS COUNTY IS CONSUMING 30
18 MILLION TONS A YEAR. WE HAVE AGGREGATE RESERVES IN
19 THESE LOCATIONS. HERE, THAT'S A SOLEDAD PLACE THERE.
20 THAT'S SAN FERNANDO THERE. AND THAT'S THE SAN GABRIEL
21 VALLEY THERE.

22 NOW, WHAT'S GOING TO HAPPEN IS IN TEN
23 YEARS, TEN TO 12 YEARS, 90 PERCENT OF THE CONSUMPTION
24 THAT OCCURS IN THESE AREAS HERE, SAN GABRIEL VALLEY, SAN
25 FERNANDO VALLEY AND SANTA CLARITA VALLEY WILL BE OUT OF
26 AGGREGATES. YOU WILL BE OUT OF AGGREGATES IN THOSE
27 REGIONS WITHIN TEN TO 12 YEARS. THE GENTLEMAN FROM THE
28 DIVISION OF MINES AND GEOLOGY IS HERE AND CAN ELABORATE 23

1 ON THOSE NUMBERS IF YOU WOULD LIKE. THIS IS ASSUMING
2 YOU DO NOT IMPORT ANY AGGREGATES.

3 NOW THE ENTIRE COUNTY INCLUDING THE -- MY
4 POINTER WENT DEAD. WHAT A THING TO DO. OKAY THANK
5 YOU. EXCUSE ME. THE ENTIRE COUNTY, INCLUDING THE
6 PALMDALE AREA WILL BE DEPLETED OF RESERVES BY THE YEAR
7 2,016. THAT'S 16 YEARS AWAY. BUT MORE IMPORTANTLY THIS
8 AREA THAT IS CONSUMING 90 PERCENT OF THE PRODUCTION,
9 WILL BE OUT IN TEN YEARS, TEN TO 12 YEARS IF YOU DON'T
10 PERMIT NEW MINES OR IF YOU DON'T IMPORT.

11 NOW IF YOU IMPORT THE MATERIAL, YOU'RE
12 GOING TO BE IMPORTING IT BY EITHER TRAIN OR BY TRUCK.
13 MOST LIKELY BY TRUCK, BECAUSE 95 PERCENT OF THE
14 AGGREGATES UTILIZED IN THE UNITED STATES ARE TRANSPORTED
15 BY TRUCK, THAT IS BY DIESEL ENGINES, DIESEL-POWERED
16 ENGINES AND IT CREATES DIESEL EXHAUST. SO YOU'RE EITHER
17 GOING TO PAY A HIGH PRICE IN TRANSPORTATION COST FOR
18 BRINGING IN 30 MILLION TONS A YEAR, EVERY YEAR. AND A
19 HIGH PRICE TO THE AIR SHED IN TERMS OF THE DIESEL
20 EXHAUST.

21 NOW THE TRANSIT MIXED PROJECT CAN PROVIDE
22 TWO TO FOUR MILLION TONS THAT NEED, OF THAT 30-MILLION
23 TON NEED. IT TOOK US TEN YEARS TO GET HERE BEFORE THIS
24 COMMISSION. IF THE COUNTY IS CONSUMING 30 MILLION TONS
25 A YEAR, EVERY TWO YEARS YOU NEED TO PERMIT A PROJECT THE
26 SIZE OF TRANSIT MIXED'S PROJECT HERE TO 56 MILLION TONS
27 TO KEEP YOUR RESERVE BASE UP.

28 THAT'S WHY IF YOU DON'T PERMIT THE

1 PROJECTS, YOU'RE GOING TO BE IMPORTING THEM AT THE
2 EXPENSE OF THE TAXPAYER AND THE EXPENSE OF THE
3 ENVIRONMENT. I THINK I'LL JUST STOP AT THAT.

4 MS. FELDMAN: I'LL JUST INTERJECT HERE THAT
5 BUILDING AND SAFETY WOULD CHANGE ITS REGULATIONS
6 REGARDING THE USE OF ALTERNATIVE TYPES OF PAVERS IF WE
7 USED GRASS TO CREATE ANOTHER KIND OF PAVERS, WE'D CUT
8 THAT DEMAND IN HALF RIGHT THERE.

9 MS. VARGO: STOP BUILDING FREEWAYS TOO.

10 MS. FELDMAN: ALL RIGHT. IS THERE FURTHER
11 TESTIMONY?

12 MR. MASTIN: I CAN ADDRESS RECYCLED AGGREGATE
13 RESOURCES IF YOU'D LIKE. I CAN ADDRESS --

14 MS. FELDMAN: WHY DON'T YOU DO THAT.

15 MR. MASTIN: OKAY, VERY BRIEFLY THEN. RECYCLED
16 AGGREGATE CAN NATIONWIDE ACCOUNTS TO ONE TO FOUR PERCENT
17 OF AGGREGATE THAT IS USED. THIS IS THE CONCRETE AND
18 ASPHALT THAT GET'S CRUSHED UP AND --

19 MS. VARGO: WHAT WAS YOUR PERCENTAGE?

20 MR. MASTIN: ONE TO FOUR PERCENT ACCORDING TO THE
21 U.S. GEOLOGICAL SURVEY.

22 MS. FELDMAN: ONE FOURTH?

23 MR. MASTIN: ONE TO FOUR. IN THIS COUNTY, YOU
24 COULD -- IT COULD TAKE UP MAYBE TEN PERCENT. WE FIGURED
25 THERE'S AN AVAILABILITY OF MAYBE ONE TO THREE MILLION
26 TONS A YEAR, IF YOU'RE USING 30 MILLION TONS THAT'S TEN
27 PERCENT. BUT IT CAN NOT REPLACE AGGREGATE QUARRIES.
28 THERE JUST ISN'T ENOUGH OF IT FOR ONE. SECONDLY, IT'S

1 ONLY USED FOR ROAD BASE. SOME OF IT A LITTLE BIT USED
2 IN ASPHALT, RECYCLED ASPHALT, THE PAVEMENT ITSELF. YOU
3 USUALLY SEND A CRUSHED ROAD BASE THAT GOES UNDERNEATH
4 THE ASPHALT. 85 PERCENT OF ITS USE IS IN THAT CATEGORY.
5 AND IT IS NOT SUITABLE FOR USE IN CONCRETE, FOR CONCRETE
6 BUILDINGS. IT JUST DOESN'T MEET THE QUALITY
7 REQUIREMENTS. SO RECYCLED IS NOT A SOURCE -- IS NOT A
8 REPLACEMENT FOR POURING CEMENT FROM CONCRETE MINES.
9 OKAY.

10 NOW I GUESS THE OTHER POINT I WOULD MAKE,
11 THERE'S BEEN SOME ASPERSIONS MADE ABOUT OUR CORPORATE
12 REPUTATION.

13 MS. FELDMAN: ABOUT WHAT?

14 MR. MASTIN: OUR CORPORATE REPUTATION, THE WAY WE
15 DO BUSINESS, OUR ENVIRONMENTAL COMPLIANCE. AND I WOULD
16 JUST LIKE TO BRIEFLY SAY TRANSIT MIXED CONCRETE HAS BEEN
17 PROVIDING CONSTRUCTION MATERIALS TO THIS L.A. REGION FOR
18 OVER 70 YEARS. AND WE'VE HAD OPERATIONS IN MANY, MANY
19 DIFFERENT CITIES THROUGHOUT ORANGE COUNTY AND L.A.
20 COUNTY AND VENTURA COUNTY. WE'VE RUN AGGREGATE
21 OPERATIONS IN VENTURA COUNTY AND L.A. COUNTY AND ORANGE
22 COUNTY. WE HAVE DONE SUCCESSFUL MINE RECLAMATION
23 PROJECTIONS AND WE ALWAYS COMPLIED WITH ENVIRONMENTAL
24 REGULATIONS. WE CURRENTLY HAVE 13 READY MIX BATCH
25 PLANS THROUGHOUT THOSE AREAS. WE CAN'T DO BUSINESS THAT
26 WAY IF WE WEREN'T A COMPLIANT COMPANY. I THINK I'LL
27 PASS IT BACK TO KERRY TO SUMMARIZE OUR --

28 MR. SHAPIRO: ONE LAST POINT, WHICH CONCERNS THE

1 COMMISSIONS BALANCING OF VALUES IN ITS DECISION MAKING.
2 BECAUSE ON THE ONE HAND, EVEN WITH ALL THE MITIGATIONS
3 INCLUDING THE NEW ONES WE'VE MENTIONED TODAY, THERE IS
4 STILL GOING TO BE TWO RESIDUAL SIGNIFICANT IMPACTS TO
5 THIS PROJECT ON AIR QUALITY AND VISUAL. BUT ON THE
6 OTHER HAND, WE THINK THERE ARE OVERRIDING FACTORS THAT
7 FAVOR PROJECT APPROVAL INCLUDING BUT NOT LIMITED TO THE
8 FEDERAL PUBLIC INTEREST AND THE CONTRACT ROYALTIES,
9 WHICH GO INTO THE GENERAL FUND, BUT ALSO THE INTEREST
10 FOR THE COUNTY AND ITS TAXPAYERS.

11 THE COUNTY'S INTERESTS ARE BASED ON
12 AGGREGATE DEMAND AND THE DEPLETING RESERVES AND HOW THIS
13 PROJECT ADDRESSES THAT DEMAND. AND BRIAN HAS TALKED A
14 LITTLE BIT ABOUT THAT. THAT RESULT IS NOT JUST AN
15 ECONOMIC BENEFIT TO THE COUNTY, BUT IT ALSO REALLY
16 RESULTS IN A LOT OF ENVIRONMENTAL BENEFITS TO THE COUNTY
17 FROM THIS PROJECT. BECAUSE NO MATTER WHAT THE
18 COMMISSION DOES TODAY OR NEXT WEEK OR WHATEVER, BUT
19 TODAY ON THIS PROJECT IT DOESN'T AFFECT AGGREGATE DEMAND
20 ONE BIT.

21 I MEAN, THE 30 MILLION TONS OR 35 MILLION
22 TONS A YEAR OF CONSUMPTION IN THIS COUNTY IS GOING TO
23 CONTINUE NO MATTER WHAT HAPPENS IN THIS PROJECT. AND
24 THAT DEMAND IS GOING TO HAVE TO BE MET. IT'S GOING TO
25 BE MET SOMEWHERE. EITHER IN SOLEDAD CANYON. IT'S MET
26 SOMEWHERE ELSE IN THE COUNTY. IT'S MET SOMEWHERE ELSE
27 OUTSIDE OF THE COUNTY. IT'S GOT TO MEET SOMEWHERE.
28 YOU'VE GOT TO GET THE MATERIAL TO THE MARKETPLACE. AND 27

1 WHAT DOES THAT MEAN FOR THIS PROJECT? WHAT WE'VE TRIED
2 TO SHOW IS THAT WE'RE CLOSER TO THE AREAS THAT ARE BEING
3 DEPLETED OF THE RESERVES.

4 IF YOU'RE CLOSER, THAT MEANS FEWER TRUCK
5 TRIPS, LESS TRUCK MILES, LESS AIR POLLUTION EMISSIONS,
6 LESS COSTS, TAXPAYER DOLLARS GO FARTHER. THOSE ARE
7 SIGNIFICANT BENEFITS THAT APPLY TO THE WHOLE REGION.

8 NOW, WE RECOGNIZE THAT THERE'S BEEN SOME
9 LOCAL OPPOSITION. PROPERTY OWNERS HAVE A LOT OF
10 CONCERNS ABOUT THIS PROJECT. WE UNDERSTAND THAT. WE'VE
11 TRIED TO DEAL WITH THEM AS BEST WE CAN. BUT THAT'S NOT
12 A TYPICAL IN THE MINING PROCESS. IT JUST HAPPENS TIME
13 AND AGAIN. WE DO THE BEST WE CAN. BUT WE ALSO THINK AT
14 THE END OF THE DAY THERE ARE REALLY MILLIONS OF PEOPLE
15 IN L.A. COUNTY THAT WILL BENEFIT FROM A PROJECT LIKE
16 THIS. AND THEN ON THE BALANCE, THAT SHOULD TIP IN FAVOR
17 OF THE PROJECT.

18 SO, JUST TO CONCLUDE, WE THINK THERE'S
19 ENOUGH INFORMATION TODAY TO TAKE A VOTE. WE ASK FOR A
20 DECISION TODAY. AND WE THINK FOR THE REASONS WE'VE
21 DISCUSSED, INCLUDING THE COUNTY'S OWN INTEREST THAT
22 OVERRIDE ANY OF THE IMPACTS, WE ASK FOR PROJECT
23 APPROVAL. SO THANK YOU VERY MUCH FOR YOUR PATIENCE IN
24 THIS LONG PROCESS.

25 MS. FELDMAN: I'M SURE THERE ARE A LOT OF
26 QUESTIONS. I'M GOING TO JUMP IN WITH ONE, THE CHAIR'S
27 PREROGATIVE HERE.

28 SO, IN YOUR VIEW ALL OF THE VARIETY OF

1 SIGNIFICANT IMPACTS ON SURROUNDING AREA PEOPLE ARE
2 COMPLETELY JUSTIFIED REGARDLESS OF THEIR INTENSITY OR
3 SEVERITY BECAUSE THERE'S GOING TO BE REGIONAL BENEFIT?

4 MR. SHAPIRO: WELL, AGAIN THE EIR MITIGATES TO
5 LESS THAN SIGNIFICANCE ALL OF THE IMPACTS BASED ON WHAT
6 TMC AND STAFF HAVE ANALYZED, BUT VISUAL END-AIR QUALITY.
7 AND THE PROJECT WILL COMPLY WITH ALL THE RULES AND
8 REGULATIONS OF THE SOUTHCOAST AIR QUALITY MANAGEMENT
9 DISTRICT. THEY'VE COMMENTED ON THE DOCUMENT. AND THEY
10 THINK THAT WITH MITIGATIONS INCLUDING THE ONES WE'VE
11 INTRODUCED THAT A FEASIBLE PROJECT ALONG THE LINES OF
12 WHAT STAFF RECOMMENDED COULD GO FORWARD.

13 MS. FELDMAN: OKAY. SECOND QUESTION, HAVE THERE
14 BEEN MANY CHANGES AND WHAT ARE THOSE CHANGES OVER TIME
15 IN THE LAST SAY 20 YEARS IN THE METHODS OF HANDLING THE
16 MOVEMENT OF MATERIAL THAT YOU'RE EXTRACTING, THE METHODS
17 OF EXTRACTION AND THE METHODS OF ENVIRONMENTAL CONTROL
18 AND WHAT ARE THOSE?

19 MR. SHAPIRO: I'M GOING TO LET BRIAN ANSWER THAT.

20 MR. MASTIN: I THINK THERE'S BEEN SIGNIFICANT
21 IMPROVEMENTS IN DUST CONTROL TECHNOLOGY OVER TIME,
22 PRIMARILY RELATED TO THE AGGREGATE PROCESSING
23 FACILITIES. THERE'S ALSO SIGNIFICANT IMPROVEMENTS IN
24 ENGINE TECHNOLOGY FOR THE DIESEL ENGINES. A PART OF
25 ADDITIONAL MITIGATION MEASURES WE DISCUSSED AS WE'VE
26 MADE THE COMMITMENT TO BUY ALL NEW USEPA CALIFORNIA AIR
27 RESOURCES BOARD CERTIFIED DIESEL POWERED ENGINES FOR THE
28 ON-SITE EQUIPMENT. THAT WILL REDUCE DIESEL PARTICULAR

1 EMISSIONS BY 40 PERCENT. SO, THERE HAVE BEEN
2 SUBSTANTIAL IMPROVEMENTS IN THE ABILITY TO CONTROL
3 EMISSIONS FROM THESE TYPES OF OPERATIONS.

4 MS. VARGO: COULD I -- GO AHEAD.

5 MS. FELDMAN: WHY HAVEN'T YOU LOOKED AT TRAINS AS
6 AN ALTERNATIVE SO YOU GET RID OF THE DIESEL ALTOGETHER?

7 MR. MASTIN: WE DID LOOK AT TRAINS AS AN
8 ALTERNATIVE AND WE DID ANALYZE THAT. IT'S IN THE DRAFT
9 EIR. AND THE PROBLEM WITH THE TRAINS IS WELL YOU HAVE A
10 HIGHER IMPACTS OVERALL, FROM THE ENVIRONMENTAL REVIEW
11 PROCESS. AND THAT IS WHAT THE DRAFT EIR STATES, BECAUSE
12 BY THE TIME -- FIRST OF ALL, THE BIGGEST REASON FOR NOT
13 DOING IT IN THIS PARTICULAR CASE IS BECAUSE WE'D HAVE TO
14 BUILD A RAIL LOAD OUT FACILITY RIGHT NEXT TO THE
15 SIGNIFICANT ECOLOGICAL -- OR IN A SIGNIFICANT ECOLOGICAL
16 AREA.

17 AND IN FACT, YOUR -- ONE OF YOUR CONDITIONS
18 ON THE PROPOSAL CONDITIONS FOR THIS PROJECT ACTUALLY
19 PROHIBITS THAT. IT SAYS THAT THE MINING AND THE
20 AGGREGATE PROCESSING AND THE STOCKPILING WILL OCCUR
21 NORTH OF SOLEDAD CANYON ROAD AWAY FROM THE RIVER AND
22 AWAY FROM THE SIGNIFICANT ECOLOGICAL AREA. SO, THAT WAS
23 THE MAIN REASON ON THIS PROJECT WE DIDN'T.

24 BUT THERE ARE OTHER REASONS WHY IT DOESN'T
25 WORK TO PUT AGGREGATES ON A TRAIN AND HAUL IT 30 MILES.
26 TYPICALLY THAT ISN'T DONE. MOST RAIL OPERATIONS ARE DONE
27 WHERE YOU HAVE A LARGE ENDPOINT, LIKE AN ALAMEDA
28 CORRIDOR PROJECT OR A DENVER AIRPORT AND 100 MILES OF

1 HAUL DISTANCE TO THE AGGREGATE QUARRY. THEN IT MAKES
2 SENSE, ECONOMIC FEASIBILITY SENSE TO PUT IT ON THE
3 TRAIN. IT JUST DOESN'T -- NEITHER OF THOSE THINGS WORK
4 HERE.

5 MS. FELDMAN: ALL RIGHT. THANK YOU.

6 MS. VARGO: FOLLOWING UP ON CHAIRMAN FELDMAN'S
7 QUESTION ON THE BETTER SYSTEMS FOR CONTROLLING DUST, YOU
8 SAID THAT IT HAS IMPROVED, BUT YOU DIDN'T SAY HOW.
9 COULD YOU EXPAND ON THAT A LITTLE BIT?

10 MR. MASTIN: WELL, IF YOU WANT TO GET IN REAL GOOD
11 DETAIL, I'M GOING TO HAVE TO HAVE AN EXPERT COME UP AND
12 SPEAK AND --

13 MS. VARGO: WELL, JUST MORE THAN WHAT YOU SAID.
14 IN OTHER WORDS, YOU JUST MADE IT A STATEMENT THAT IT'S
15 IMPROVED. AND TO WHAT DEGREE IF YOU COULD?

16 MS. FELDMAN: AND USING WHAT KIND OF TECHNOLOGY?

17 MR. MASTIN: I CAN EXPLAIN SOME OF THE
18 TECHNOLOGY. I MEAN WHAT WE HAVE TO DO -- ANOTHER
19 FEATURE OF THIS PARTICULAR PROJECT IS EACH NEW AGGREGATE
20 PROJECT THAT COMES FORWARD IN THE SOUTH COAST BASIN HAS
21 TO USE WHAT'S CALLED BEST AVAILABLE CONTROLLED
22 TECHNOLOGY. THAT MEANS THAT WHATEVER SOMEBODY HAD
23 FIGURED OUT IS A BETTER WAY TO DO IT. AND THE LAST TIME
24 THAT SOMEONE WHO GOT A PERMIT AT AQMD, IF THEY CAME UP
25 WITH A BETTER IDEA TO REDUCE THEIR EMISSIONS, WE HAVE TO
26 ADOPT THAT IN OUR PLANT AS WELL.

27 AND SO, THERE ARE ALL TYPES OF THINGS WHICH
28 GET UTILIZED NOW IN TERMS OF FABRIC, BAG HOUSES, TO

1 CONTROL THE DUST THAT COMES OFF, YOU KNOW, WHEN YOU'RE
2 SHAKING IT ON SCREENS AND THAT SORT OF THING. THERE ARE
3 TECHNOLOGIES IN TERMS OF CHEMICAL DUST SUPPRESSANTS,
4 FORMS AND THINGS OF THAT NATURE, WHICH CAN BE PLACED ON
5 WHERE MATERIAL IS FALLING OFF A CONVEYER BELT AND DUST
6 IS RISING. THERE ARE TECHNOLOGIES IN TERMS OF DUST
7 SUPPRESSANTS WHICH ARE SPRAYED ON DIRT ROADS THAT WHEN
8 THE VEHICULAR TRAFFIC TRAVELS OVER DIRT AND THE WHEELS
9 TEND TO KICK UP DUST, THERE ARE CHEMICALS THAT CAN BE
10 PLACED ON THE ROADS TO KEEP THE DUST DOWN.

11 WE ARE GOING TO USE ALL OF THOSE THINGS IN
12 THIS PROCESS BECAUSE WE'RE REQUIRED TO ON THE STATIONARY
13 PLAN AND BECAUSE WE HAVE A FUGITIVE DUST CONTROL PLAN
14 WHICH GETS A RIGOROUS REVIEW BY SOUTH COAST AIR QUALITY
15 MANAGEMENT DISTRICT ONCE A YEAR. AND WE HAVE TO COMPLY
16 WITH ALL OF THOSE THINGS. AND SO, THE NEWER THE PLANT,
17 THE LOWER THE EMISSIONS. THAT'S JUST THE WAY IT WORKS
18 IN THIS AIR BASIN, BECAUSE IT DRAGS YOU DOWN EVERY TIME
19 YOU GO FORWARD.

20 MS. FELDMAN: OKAY. OTHER QUESTIONS.

21 MR. PEDERSON?

22 MR. PEDERSON: EITHER MR. MASTIN OR MR. SHAPIRO,
23 AT FIRST, THANK YOU FOR COMING DOWN AGAIN. I KNOW YOU
24 HAVE LONG TRIPS AND YOU'VE BEEN VERY PATIENT,
25 PARTICULARLY WITH ME. AND WE HAVE OPPORTUNITIES TO
26 EXTEND THE COMMENT PERIOD ON TWO OCCASIONS, YOU OBJECTED
27 TO THE SECOND ONE.

28 BUT I'D LIKE TO SORT OF CUT TO THE CHASE

1 HERE AND BEFORE I ASK THE QUESTION, I JUST WANT TO SAY
2 YOUR REGARDING THE LOCAL OPPOSITION IS SORT OF AN
3 ENCOMPASSING STATEMENT THAT WHEREVER YOU GO, YOU FACE
4 THAT. HAVE YOU FACED THE LOCAL OPPOSITION TO THE
5 DEGREE THAT THE SANTA CLARITA VALLEY HAS GIVEN, WHICH
6 MEANS IN MY OPINION, WHAT I HAVE ON THE RECORD IS ALL
7 THE SCHOOL DISTRICTS, THE VALENCIA INDUSTRIAL
8 ASSOCIATION, THE CITY OF SANTA CLARITA, THE -- EVERY
9 ENVIRONMENTAL AGENCY WITHIN REACH THAT THERE HAVE BEEN
10 NOTHING AT ALL OF THE ONE OR TWO PEOPLE WHO ARE
11 INTERESTED IN THAT PORTION, THE OUTCOME, WHO HAVE
12 OPPOSED IT. HAVE YOU HAD THAT KIND OF OPPOSITION IN THE
13 PAST?

14 MR. MASTIN: WELL, CAN I ASK YOU ONE THING? I
15 WOULDN'T SAY EVERY ENVIRONMENTAL AGENCY IS IN
16 OPPOSITION. THAT'S NOT TRUE. - THERE HAS BEEN A LOT OF
17 ENVIRONMENTAL AGENCIES WHO HAVE REVIEWED THIS PROJECT
18 AND ARE PASSING JUDGMENT ON IT AND THEY'RE NOT IN
19 OPPOSITION, JUST TO CORRECT THE RECORD FOR THAT.

20 MR. PEDERSON: I STAND CORRECTED ON THAT.

21 MR. MASTIN: THANK YOU.

22 MR. SHAPIRO: WELL, I WILL SAY THIS IN TERMS OF MY
23 STATEMENT THAT, YOU KNOW, LOCAL COMMUNITIES TEND TO
24 OPPOSE MINING PROJECTS IS THAT THAT WAS PART OF THE
25 REASON THAT SMARA AND DESIGNATION WERE CREATED. BECAUSE
26 AT A TIME PRIOR TO THAT LAW, THERE WAS A RAPID DEPLETION
27 OF RESOURCES IN CALIFORNIA BECAUSE OF THE URBAN
28 EXPANSION OR DEVELOPMENT AT THAT TIME AND IT WAS

1 CONSISTENTLY HAPPENING TIME AND AGAIN THAT YOU LOSE THE
2 RESOURCES BECAUSE OF THE URBANIZATION. SO, THAT WAS
3 SOMETHING THAT WAS SO PREVALENT, THAT DESIGNATION GREW
4 OUT OF THAT.

5 MR. PEDERSON: THANK YOU FOR YOUR ANSWER ON THAT.
6 I JUST WANT TO ASK A COUPLE DIRECT QUESTIONS REGARDING
7 THE AGGREGATE AND THE AMOUNT OF AGGREGATES AVAILABLE IN
8 THE COUNTY.

9 IS THERE A PERCENTAGE OF FINISHED PRODUCT
10 ONCE THE AGGREGATE GOES TO THE CEMENT AS TO ROADS AND
11 HIGHWAYS VERSUS HOMES? IS THERE A PERCENTAGE OF WHAT
12 GOES TO EACH OF THOSE AREAS?

13 MR. MASTIN: WELL, THE STATE MEASURES THE
14 AGGREGATE CONSUMPTION BASED UPON WHAT IS PRODUCED OUT OF
15 AGGREGATE FACILITIES. AND WHAT HAPPENS IS IT'S JUST
16 LIKE YOUR PERSONAL CHECKBOOK. YOU KNOW, YOU HAVE A
17 FAMILY BUDGET AND YOU HAVE SO MUCH MONEY COMING IN AND
18 SO MUCH MONEY GOING OUT OF YOUR CHECKBOOK, YOU DON'T
19 ALWAYS KNOW WHERE ALL THE MONEY IS GOING OUT. THE
20 EASIEST WAY TO MEASURE WHAT IS BEING CONSUMED IN THE
21 MARKETPLACE IS TO GET THE PRODUCERS RECORDS AND THEN
22 THEY KNOW HOW MUCH IS BEING CONSUMED FOR ALL OF THE
23 TYPES OF THINGS THAT IT GETS CONSUMED ON. A LOT OF THAT
24 IS EXISTING REFURBISHMENT.

25 MR. PEDERSON: DO WE KNOW THOSE FIGURES?

26 MR. MASTIN: WHICH FIGURES ARE YOU --

27 MR. PEDERSON: WHAT PERCENTAGE GOES TO HOUSING OF
28 THE FINISHED PRODUCT? WHAT I'M TRYING TO GET AT IS I'M 34

1 TRYING TO SHOW THE RELATIONSHIP OR THE NEXUS TO THAT
2 PARTICULAR OPERATION BEING HELD IN THE SANTA CLARITA
3 AREA VERSUS ITS USAGE IN THAT AREA. THAT'S WHAT I'M
4 REALLY COMING TO. AND WHERE DO YOU -- THAT WAY, THE
5 ONLY WAY I CAN GET IT SYNCHRONIZED IN MY MIND IS HOW
6 MUCH OF IT GOES TOWARDS HOUSING, HOW MUCH OF IT GOES
7 TOWARDS THE STREETS AND HIGHWAYS AND FREEWAYS.

8 MR. MASTIN: WELL, SANTA CLARITA AREA USES ALL OF
9 THOSE THINGS. AND I GUESS THE QUESTION IS WHERE WOULD
10 THE PRODUCT GO FROM THIS PARTICULAR MINE BECAUSE YOU DO
11 A LOT MORE THAN JUST HOUSING IN SANTA CLARITA.

12 MR. PEDERSON: EXACTLY.

13 MR. MASTIN: IT WILL GO -- APPROXIMATELY 50
14 PERCENT OF IT WILL GO TO THE SANTA CLARITA VALLEY, AND
15 APPROXIMATELY 50 PERCENT OF IT TO SAN FERNANDO VALLEY, I
16 MEAN, IN GENERAL TERMS.

17 MR. PEDERSON: OKAY. SO IN YOUR TESTIMONY YOU'VE
18 INDICATED THAT THERE'S A TEN TO 16 YEAR LIMIT ON
19 AVAILABILITY ON THE AGGREGATE AT THIS TIME?

20 MR. MASTIN: THAT'S CORRECT.

21 MR. PEDERSON: DOES THAT COUNT GOING OUTSIDE THE
22 COUNTY OF LOS ANGELES?

23 MR. MASTIN: NO. WHAT I'M SAYING THERE IS IF YOU
24 DON'T IMPORT OR YOU DON'T PERMIT NEW MINES, WE'LL BE
25 OUT.

26 MR. PEDERSON: IF YOU DO IMPORT, WILL THERE BE
27 MORE OR LESS TRUCKS COMING INTO THE SANTA CLARITA VALLEY
28 THAN IF YOU MINE IT THERE?

1 MR. MASTIN: MY OPINION IS THAT IF YOU DON'T MINE
2 IT THERE, THE SAME AMOUNT OF TRUCKS WILL GO THROUGH THE
3 VALLEY, BUT THEY'LL GO UP TO PALMDALE TO GET IT UNTIL
4 THE YEAR 2,016.

5 MR. PEDERSON: AND ARE YOU TALKING ABOUT COMING
6 FROM NOT ONLY PALMDALE, BUT COMING FROM OTHER SOURCES?

7 MR. MASTIN: WELL, IF YOU TAKE IT OUT FAR ENOUGH
8 AND IT'S THE YEAR 2,016 AND THERE IS NO SOURCES, NO NEW
9 PERMITS IN THIS COUNTY, THEN IT WILL HAVE TO COME FROM
10 OUTSIDE OF THE COUNTY.

11 MR. PEDERSON: OF THE SOURCES RIGHT NOW THAT AREA
12 AVAILABLE, ARE THEY ALL GOING DRY?

13 MR. MASTIN: WELL, TEN YEARS, 90 PERCENT -- THE
14 THREE AREAS THAT I SHOWED YOU UP THERE, SAN FERNANDO
15 VALLEY, SAN GABRIEL VALLEY AND SANTA CLARITA VALLEY, IF
16 -- WE'RE SIMPLIFYING OBVIOUSLY, BUT IF YOU DON'T PERMIT
17 NEW MINES IN THOSE AREAS, THEY CONSUME 90 PERCENT OF
18 TODAY'S CONSUMPTION, WHICH IS 30 MILLION TONS. IN TEN
19 YEARS THE COUNTY'S CONSUMPTION WILL BE 40 MILLION TONS A
20 YEAR, BECAUSE WE'RE GROWING. WE HAVE MORE PEOPLE. WE
21 BUILD MORE THINGS. YOU'VE GOT TO EXPAND FREEWAYS,
22 EXPAND AIRPORTS, AND EXPAND SEAPORTS. YOU HAVE TO
23 REBUILD NEW HOUSING FOR -- REBUILD HOUSING, ADD NEW
24 HOUSING, ALL THOSE THINGS WILL BE GOING ON AND YOU'LL BE
25 CONSUMING 40 MILLION TONS A YEAR RIGHT WHEN YOU RUN OUT.

26 MR. PEDERSON: ARE THERE OTHER LOCATIONS SUCH AS
27 THE PROJECT OUT THERE LOCATED IN LOS ANGELES COUNTY THAT
28 ARE PRESENTLY BEING CONSIDERED AS SITES OF MINING AND

1 PRODUCING THE PRODUCT?

2 MR. MASTIN: YOU KNOW, ONE OF THE PROBLEMS YOU
3 HAVE HERE IS NOT A SHORTAGE OF RESOURCES. THERE ARE
4 RESOURCES IN THE SANTA CLARA RIVER. THERE ARE RESOURCES
5 IN THE FOREST. BUT THERE'S A LOT OF THESE PLACES --
6 THERE ARE RESOURCES IN THE CITY OF SANTA CLARITA WHICH
7 WILL NEVER BE MINED FOR POLITICAL REASONS. A LOT OF
8 RESOURCES WON'T BE MINED FOR ENVIRONMENTAL REASONS,
9 ENDANGERED SPECIES OR THEY'RE NEW AQUIFERS, OR THERE'S
10 EROSION CAUSED BY MINING AND RIVERS. AND WHAT YOU
11 REALLY HAVE IS A SHORTAGE OF APPLICANTS, BECAUSE NOBODY
12 WANTS TO TAKE THE TIME AND THE MONEY. THEY DON'T WANT
13 TO TAKE NINE YEARS, THEY DON'T WANT TO TAKE MILLIONS OF
14 DOLLARS TO GET BEFORE A PLANNING COMMISSION. YOU DON'T
15 HAVE ANY OTHER ACTIVE MINING APPLICATIONS AT THIS POINT
16 IN TIME. YOU HAVE SOME ON FILE, BUT THEY HAVEN'T BEEN
17 ACTIVE FOR YEARS. WE CHECKED WITH STAFF LAST WEEK. AND
18 IT TAKES FIVE TO TEN YEARS TO GET A PERMIT. AND YOU'RE
19 RUNNING OUT OF ROCKS.

20 YOU DID HAVE SOME APPLICATIONS PREVIOUSLY.
21 YOU HAD ONE IN MESCON CREEK, WHICH IS WAY OUT THERE IN
22 ANTELOPE VALLEY AND IT WAS DENIED BY THIS COMMISSION.
23 IT WAS DENIED ON THE BASIS OF BIOLOGICAL AND LOCAL
24 OPPOSITION. OKAY.

25 MR. TOY: LET ME FOLLOW UP, MADAM CHAIRMAN. ON
26 THE QUESTION OF THE SUPPLIES THAT WILL BE DEPLETED,
27 THROUGH THIS PROCESSES, WHICH IS A LONG PROCESS, I'VE
28 HEARD CONFLICTING TESTIMONY. YOU KNOW, PEOPLE WHO

1 OPPOSE SAYING THAT IT'S NOT TRUE, THAT YES, THERE WILL
2 BE SOME DEPLETION, HOWEVER, THERE ARE ENOUGH SUFFICIENT
3 MEANS OR CLOSE ENOUGH AREAS WHERE YOU CAN GET THAT. DO
4 WE HAVE, I MEAN, ANY REPORTS THAT -- I DON'T KNOW --
5 THAT SUPPORTS OR ARE THERE REPORTS THAT SUPPORT BOTH
6 SIDES OR I GUESS I'M ASKING STAFF AS WELL AS YOU HAVE
7 EXPERTS HERE. MAYBE YOU CAN TAKE A STAB AT THAT.

8 MR. MASTIN: I'D LIKE A SHOT AT THAT ONE IF I
9 COULD.

10 THE STATE OF CALIFORNIA HAS GONE THROUGH
11 THE PROCESS OF CLASSIFICATION AND DESIGNATION OVER MANY
12 YEARS. WE HAVE SITTING IN OUR AUDIENCE, AND HE'S BEEN IN
13 THIS AUDIENCE FOR THIS HEARING AND ALL THE PREVIOUS
14 HEARINGS, YOU REMEMBER THE BEE CANYON HEARINGS, THERE'S
15 TESTIMONY BY THE MINING AND GEOLOGY BOARD, HE'S HERE
16 TODAY. YOU DON'T HAVE TO TAKE MY WORD FOR IT, AND YOU
17 CAN DO AN EVALUATION OF THE CREDIBILITY OF WITNESSES, IF
18 YOU WOULD. THIS GUY IS AN IMPARTIAL PERSON. HE'S
19 JUST -- HE'S PROVIDING INFORMATION TO YOU. THEY HAVE
20 PROVIDED YOU THE REPORTS. THOSE NUMBERS I'M USING ARE
21 HIS NUMBERS. THE AUTHOR IS SITTING RIGHT THERE. YOU CAN
22 TALK TO HIM IF YOU CHOSE TO DO SO.

23 MR. TOY: SURE. I THINK THAT WOULD BE HELPFUL,
24 MAYBE JUST TO GET A LITTLE MORE --

25 MR. MASTIN: I MEAN THEY DO THE STUDIES. THEY DO
26 SUBSTANTIAL STUDIES AND THEY HAVE BEEN SUBMITTED AS PART
27 OF THE RECORD IN THIS CASE. AND THE NUMBERS ARE NOT
28 DISPUTABLE IN MY OPINION.

1 MR. TOY: WELL, WHAT ARE THE COST DIFFERENCES WHEN
2 YOU'RE TALKING ABOUT IMPORTING THE AGGREGATES FROM
3 OUTSIDE? I MEAN, IS THERE A RANGE BETWEEN THAT AND WHAT
4 IT WOULD COST IF YOU PRODUCED IT IN TERMS OF SELLING TO
5 A CONSUMER, WHETHER IT BE THE GENERAL PUBLIC OR AGENCIES
6 OR DEPARTMENTS?

7 MR. MASTIN: HERE'S THE WAY I WOULD CHARACTERIZE
8 THAT. IF WE DON'T GO FORWARD WITH OUR PROJECT, THAT'S
9 56 MILLION TONS WE'D HAVE TO BRING DOWN FROM PALMDALE.
10 THE TRANSPORTATION COST IN THAT IS AN EXTRA \$170
11 MILLION. HALF OF THAT IS COST THAT GOES TO PUBLIC WORK
12 CONSTRUCTION, BECAUSE HALF OF EVERYTHING THAT IS DONE --
13 HALF OF THE AGGREGATE THAT IS PRODUCED GOES TO VARIOUS
14 TYPES OF PUBLIC WORKS CONSTRUCTION. SO THE TAXPAYERS
15 HAVE PAID THAT ADDITIONAL TRANSPORT COST AND WORKS
16 TRANSFER COST, AND YOU KNOW, THE PRIVATE SECTOR WILL PAY
17 THE OTHER HALF OF THE ADDITIONAL TRANSPORT COST.

18 MR. TOY: LETS TAKE A LITTLE BIT, YOU KNOW,
19 DIFFERENT ROAD IN TERMS OF THE QUESTIONING. I
20 APPRECIATE YOUR BROAD STROKES WHEN YOU SAY THERE'S A
21 NUMBER OF CONCERNS AND YOU'VE HEARD THEM, I'VE HEARD
22 THEM FROM THE PUBLIC AND THROUGH DIFFERENT TESTIMONYS.
23 BUT I WAS WONDERING IF YOU DID IN FACT INSTEAD OF SAYING
24 WELL, IT'S ALL IN THE EIR AND IT'S MITIGATED THAT WITHIN
25 THE PROCESS OF HEARING, DID YOU NOTE THOSE SPECIFIC
26 THINGS?

27 I MEAN, I KNOW THAT YOU MENTIONED SOME OF
28 THEM, AIR QUALITY, VISUAL, NOISE, TRAFFIC, SAFETY ISSUES 39

1 IN TERMS OF LIKE SCHOOLS NEARBY. HAVE YOU IN FACT -- OR
2 CAN YOU GO THROUGH, MORE SPECIFICALLY, IN TERMS OF HOW
3 YOU FEEL THOSE ARE MITIGATED AND WHAT IS IN FACT THE
4 SITUATION WITH ALL THOSE PARTICULAR TOPICS?

5 WELL, I JUST MENTIONED FIVE OR SIX AND I
6 DON'T KNOW HOW MANY YOU HAVE. FOR ME, IT WOULD BE
7 IMPORTANT TO SEE INSTEAD OF BROAD STROKING IT AND SAYING
8 WELL, YES OUR ADDRESS IS, YOU KNOW, I'D LIKE TO HEAR
9 FROM YOU GUYS.

10 MR. MASTIN: OKAY. YOU WANT ME TO PICK A FEW
11 ISSUES? THE MAIN ISSUES AND --

12 MR. TOY: YEAH, THE MAIN ISSUES AND SEE HOW YOU
13 RESPOND AND THEN I HAVE FOLLOW UP TO THAT.

14 MR. MASTIN: OKAY. WELL, I MEAN TYPICALLY THE
15 MAIN CONCERNS WITH MINING OPERATIONS ARE, YOU KNOW,
16 TRUCKS, NOISE, DUST, THOSE TYPES OF THINGS. LET'S TAKE
17 TRAFFIC. WE HAVE WORKED WITH THE DEPARTMENT OF PUBLIC
18 WORKS TO SEE WHAT COULD BE DONE WITH TRAFFIC
19 MITIGATIONS. WE'VE COMMITTED TO VARIOUS SUBSTANTIAL
20 AMOUNT OF MITIGATION IN TERMS OF IMPROVEMENTS ON THE
21 SOLEDAD CANYON ROAD WHERE THE TRUCKS ENTER AND EXIT.
22 WE'VE AGREED TO DO ADDITIONAL PAVEMENT OVERLAYS FOR THE
23 AMOUNT OF DAMAGE THE TRUCKS DO TO THE PAVEMENT. WE HAVE
24 AGREED TO IMPROVE THE FREEWAY ACCESS RAMPS WHERE THE
25 SOLEDAD CANYON ROAD REACHES THE ANTELOPE VALLEY FREEWAY
26 WHERE THE TRUCKS WOULD BE ENTERING ON TO THE FREEWAY.
27 AND WE'VE DONE ALL THOSE THINGS WITH THE DEPARTMENT OF
28 PUBLIC WORKS TO THEIR SATISFACTION. AND THAT'S WHY THE 40

1 DEPARTMENT OF REGIONAL PLANNING HAS DETERMINED THAT
2 WE'VE REDUCED THE TRAFFIC IMPACTS TO BELOW A LEVEL OF
3 SIGNIFICANCE. THAT WOULD BE MY RESPONSE ON TRAFFIC.

4 NOW IN TERMS OF WATER QUALITY, LET'S SAY IS
5 AN ISSUE THAT'S BEEN RAISED. WE HAVE -- I MEAN, WE'VE
6 BEEN WORKING AT THIS FOR A LONG TIME. WE MADE THE
7 APPLICATION IN 1991. OKAY, SO WITH THE DEPARTMENT OF
8 REGIONAL PLANNING STAFF, WE'VE WORKED CONCURRENTLY WITH
9 THEM AND WE'VE DEVELOPED A WHOLE RANGE OF MITIGATIONS
10 INCLUDING THE DESALTING AND THE BASINS, STORM WATER
11 POLLUTION PREVENTION PLANS, SPILL CONTROL PLANS IN CASE
12 YOU TIP OVER A GASOLINE TRUCK OR WHATEVER YOU MIGHT
13 HAPPEN TO SPILL, A BARREL OR WHATEVER. AND WE'RE
14 MEETING ALL THE CURRENT INDUSTRY STANDARDS, AND WE'VE
15 MITIGATED -- WE HAVE ALL THE PLANS IN PLACE TO PROTECT
16 THE WATER RESOURCES OF THIS REGION. THOSE SPILLS IF
17 THEY EVER OCCUR WILL BE CONTROLLED BY THE SPILL
18 PREVENTION PLAN.

19 STORM WATER WILL NOT BE POLLUTED BECAUSE WE
20 WILL DO EXACTLY WHAT THE REGIONAL WATER QUALITY CONTROL
21 BOARD REQUIRES ALL MINES TO DO IN TERMS OF PREVENTING
22 POLLUTION TO STORM WATER.

23 THIS SITE IS NOT LOCATED IN THE RIVER.
24 THIS SITE IS LOCATED OUT OF THE RIVER. THE BETTER
25 MATERIAL TO MINE IS IN THE RIVER, BUT YOU HAVE MORE
26 PROBLEMS WITH CONTROLLING THINGS CLOSE TO THE RIVER,
27 BECAUSE YOU'RE CLOSER TO THE WATER RESOURCES AND YOU
28 HAVE A GREAT POTENTIAL FOR CONTAMINATING WATER. SO, THE 41

1 SITE SELECTION ALONE WAS A WAY OF KEEPING PROBLEMS OUT
2 OF THE RIVER. WE TRIED TO STAY OUT OF THE WILDLIFE
3 CORRIDORS. WE TRIED TO STAY AWAY FROM THE RIVERS, AWAY
4 FROM THE WATER RESOURCES AND PUT THESE PROTECTIONS IN TO
5 PLACE. SO, WATER QUALITY -- THAT IS WHY THE DEPARTMENT
6 STAFF TERMED THAT WE REDUCE IMPACTS TO WATER QUALITY TO
7 BELOW THE LEVEL OF SIGNIFICANCE.

8 MR. TOY: HOW ABOUT NOISE THAT WAS ONE OF THE BIG
9 THINGS?

10 MR. MASTIN: NOISE IS AN ISSUE THAT IS INHERENT IN
11 MINING OPERATIONS. AND WE -- IN YOUR PROPOSED
12 CONDITIONS, ARE A LOT OF CONDITIONS ON NOISE
13 MITIGATIONS. WE HAVE AGREED TO A LOT OF NOISE
14 MITIGATIONS, IN PARTICULAR, YOU KNOW, BOTH ON-SITE AND
15 OFF-SITE NOISE. OFF-SITE NOISE FOR THE RIVERS AND
16 TRAILER PARKS THERE WILL BE A NUMBER OF TRUCKS GOING BY
17 THERE. AND THAT'S ONE OF THE THINGS THEY SPECIFICALLY
18 ASKED FOR AND THAT'S ONE OF THE THINGS THAT'S IDENTIFIED
19 AS A MITIGATION AND THAT WE WILL PUT A SOUND WALL UP
20 THERE TO KEEP THE NOISE IMPACTS FROM THE TRUCKS GOING BY
21 THE RIVERS AND TRAILER PARK. SAME THING IF THE BEE
22 CANYON MOBILE HOME PARK GETS CONSTRUCTED, WE WILL BUILD
23 A NOISE WALL FOR THEM FOR THE TRUCKS THAT GO BY THEIR
24 SIDE.

25 MR. TOY: IN YOUR COMPANY'S OVERALL PLAN AND
26 LONG-TERM PLAN, I GUESS WHAT I'M LOOKING FOR IS JUST AS
27 YOU TRIED TO DO WITH AIR QUALITY WITH THE CONVEYER BELT
28 REDUCING PERHAPS I THINK YOU SAID 35 PERCENT OF THE

1 IMPACT, THERE WOULD STILL BE A SIGNIFICANT -- YOU KNOW,
2 SOMETHING THAT YOU CAN'T DO ANYTHING ABOUT, YOU'RE GOING
3 TO TRY YOUR BEST.

4 IS THERE IN YOUR COMPANY'S PLAN A
5 CONTINUING TYPE OF RESEARCH AND MOVEMENT TO TRY TO DEAL
6 WITH, LET'S SAY, VISUAL. AS YOU SAID, THAT'S ALSO A
7 SIGNIFICANT IMPACT AT THIS MOMENT CAN'T BE MITIGATED TO
8 WHERE, YOU KNOW, IT'S BELOW SIGNIFICANCE OR AS WE TALKED
9 ABOUT NOISE OR WHEN WE TALK ABOUT SAFETY, IS THERE ANY
10 THOUGHTS ON THAT FOR YOUR COMPANY?

11 MR. MASTIN: YES, LET'S TALK ABOUT VISUAL, I
12 GUESS. THE -- YOU KNOW, WE'RE MAKING LAND FARM
13 ALTERATIONS OUT THERE AND YOU CAN'T DO THAT AND NOT HAVE
14 A SIGNIFICANT IMPACT ON VISUAL. THAT'S JUST THE WAY THE
15 RULES ARE WRITTEN. THERE'S NOTHING WE CAN -- THERE'S NO
16 WAY YOU COULD DO THIS PROJECT AND NOT HAVE THE
17 SIGNIFICANT IMPACT ON VISUAL. THERE ARE A LOT OF
18 MITIGATIONS THAT WE HAVE AGREED TO. AND I WOULD LIKE TO
19 SAY THAT, YOU KNOW, WE HAD A STRATEGY AND I DON'T KNOW
20 WHETHER IT WAS THE CORRECT ONE OR NOT FROM THE
21 DEVELOPER'S PERSPECTIVE, BUT OUR STRATEGY WAS TO
22 MITIGATE EVERYTHING WE COULD UP FRONT, TO GET AS FEW
23 IMPACTS AS POSSIBLE. THAT'S WHY WE ONLY WOUND UP WITH
24 TWO. THE TWO THAT COULD NOT BE AVOIDED. AND THAT IS
25 AIR. THERE'S NO SIZE OF PROJECT YOU CAN DO AND NOT HAVE
26 AN AIR QUALITY IMPACT. THIS COMMISSION AND THE
27 COMMISSIONS THROUGHOUT CALIFORNIA CONSISTENTLY ISSUE
28 STATEMENTS OF OVERRIDING CONSIDERATION, BECAUSE YOU

1 COULDN'T HAVE PROJECTS IF YOU COULDN'T DO THAT UNDER
2 SEQUA.

3 SO, WE COULDN'T DO ANYTHING ABOUT AIR BUT
4 WE'VE COME BACK AND DONE WHAT WE CAN BECAUSE THAT WAS
5 ONE OF THE BIGGEST CONCERNS OF THE PUBLIC. AND WE
6 UNDERSTAND THEIR CONCERNS. SO WE DID WHAT WE COULD DO.
7 WE FOUND SOME SUBSTANTIAL REDUCTIONS THAT WE COULD MAKE
8 THERE.

9 VISUAL, THERE'S A WHOLE HOST OF
10 REVEGETATION PROGRAMS THAT WE'VE INVOLVED OURSELVES IN.
11 AND THAT IS AN ONGOING PROCESS THAT GETS EVALUATED EVERY
12 YEAR TO SEE HOW SUCCESSFUL WE ARE. IN OTHER WORDS, ANY
13 AREAS THAT WE'RE DISTURBING OUT THAT WE'RE GOING TO
14 LEAVE FOR THE DURATION OF THE PROJECT, WE REVEGETATE
15 IMMEDIATELY AND THEN THE FIRST RAIN SEASON THEREAFTER.

16 AND WE'RE DOING A LOT OF ADDITIONAL
17 CONTOURING OF THE MINE STORAGE AREA, FOR EXAMPLE, TO TRY
18 AND MAKE IT LOOK MORE NATURAL, THAT, YOU KNOW,
19 ENGINEERING TYPE PEOPLE WOULD LIKE TO PUT IN SOME NICE
20 STABLES FLAT, STRAIGHT, YOU KNOW, MANMADE LOOKING EARTH
21 AND FILLS. AND ONE OF THE THINGS THAT DEPARTMENT OF
22 REGIONAL PLANNING ASKED FOR WAS, YOU KNOW, COULD YOU DO
23 SOMETHING TO BREAK THIS UP.

24 SO WE'RE DOING TWO THINGS. WE'RE
25 CONTOURING THE NORTH MINE STORAGE AREA AND WE'RE
26 GROUPING THE PLANTINGS TO MIMIC CANYONS AND THAT SORT OF
27 THING, SO IT LOOKS AS NATURAL AS POSSIBLE. WE'VE DONE
28 THIS BEFORE. WE'VE DONE IT IN SANTIAGO CANYON IN ORANGE 44

1 COUNTY AND WE'RE DONE, YOU COULDN'T TELL THAT WE HAD
2 MINED THERE. SO WE DO WHAT WE CAN.

3 MR. TOY: OKAY. WHAT WOULD BE THE AVERAGE TIME
4 SPAN FOR YOU TO GET A REVEGETATION AND RECLAMATION
5 SITUATION IN PLACE SO IT WOULD LOOK LIKE JUST THE HOLES
6 THAT, YOU KNOW, YOU LEAVE ONCE YOU TAKE THE MATERIAL
7 OUT, IN YOUR EXPERIENCE?

8 MR. MASTIN: WELL, THE NORTH MINING STORAGE AREA,
9 FOR EXAMPLE, LET'S TALK ABOUT THAT BECAUSE IT'S NEXT TO
10 THE FREEWAY AND, YOU KNOW, IT'S KIND OF NOT WHERE YOU
11 CAN SEE IT. WE REVEGETATE THAT AS WE GO. SO THAT
12 EARTH AND FILL WILL COME UP, YOU KNOW, TEN, 20 FEET A
13 YEAR. SO, IT WILL LOOK LIKE A ROAD REALLY IS WHAT IT
14 WILL LOOK LIKE.

15 AND WE WILL BE REVEGETATING FROM THE BOTTOM
16 UP. SO YOU KNOW, THE FIRST YEAR -- YOU KNOW, TEN YEARS
17 DOWN THE ROAD, YOU WOULD HAVE A LOT OF MATURE VEGETATION
18 ON THE BOTTOM AND LOOK LIKE GRASS UP NEAR THE TOP AND
19 YOU STILL WOULD HAVE WHAT WOULD LOOK LIKE A ROAD ON TOP.
20 SO WE DO CONCURRENT REVEGETATION TO TRY AND MITIGATE
21 THOSE IMPACTS AS SOON AS POSSIBLE.

22 WHEN WE CUT THE ROAD THROUGH, THERE WILL BE
23 SOME CUTS AND FILLS THAT WILL SHOW UP INITIALLY. WE'LL
24 REVEGETATE THOSE IMMEDIATELY, THE CUTS AND FILLS AND TRY
25 AND GET IT LOOKING AS NATURAL AS POSSIBLE.

26 MR. TOY: WHEN YOU SAY THAT WITHIN A YEAR, YOU
27 WOULD BE LEAVING HOLES OR ANYTHING YOU KNOW, MORE THAN A
28 YEAR'S TIME. I MEAN YOU'RE SAYING YOU'RE GOING ALONG -- 45

1 MR. MASTIN: WELL, COMMISSIONER I DON'T WANT TO
2 OVERSTATE THE SITUATION. ON THE NORTH FINE STORAGE
3 AREA, WE WILL REVEGETATE EVERY YEAR AS WE GO. ON THE
4 SOUTH SIDE OF THE RIDGE WHERE WE'RE DOING EXCAVATION,
5 THERE'S GOING TO BE, YOU KNOW, OPEN EXCAVATION AREAS,
6 WHICH WILL REMAIN FOR SOME SUBSTANTIAL PERIODS OF TIME.
7 BUT ANY AREA THAT WE ARE LEAVING PERMANENTLY, WE
8 REVEGETATE THE FIRST RAINY SEASON WHEN WE CAN, WITH
9 NATIVE VEGETATION. WE'RE GOING TO BE VERY CAREFUL TO
10 PUT THE NATIVE PLANT SPECIES BACK TO THE WAY WE WERE
11 BEFORE WE GOT THERE.

12 MR. TOY: LET ME ASK THE LAST QUESTION, IN TERMS
13 OF COMMUNITY OUTREACH AND ALWAYS AN ONGOING DIALOGUE I
14 WOULD HOPE THAT YOU HAVE WITH THE COMMUNITY, NO. 1,
15 OTHER THAN THE MEETINGS THAT WE HOLD AS THE REGIONAL
16 PLANNING COMMISSION, HAS THERE BEEN OTHER MEETINGS THAT
17 YOU'VE HELD IN THE COMMUNITY TO TRY TO RESOLVE AND TRY
18 TO, YOU KNOW, BRING FORTH YOUR VIEWS AND YOUR VISION IN
19 TERMS OF TO MITIGATE AND HOPEFULLY ALLEVIATE SOME OF THE
20 CONCERNS OF THE AUDIENCE, FIRST PART OF THE QUESTION.

21 AND THE SECOND PART OF THE QUESTION WOULD
22 BE, IS THERE A PLAN THAT IF YOUR PROJECT WAS TO BE
23 APPROVED, IS THERE AN IMPLEMENTATION PLAN TO CONTINUE
24 DIALOGUE WITH THE COMMUNITY AS PROBLEMS POP UP, YOU CAN
25 DEAL WITH IT, YOU KNOW, ON A FORMAL BASIS AND TO MAKE
26 SURE THAT WE MITIGATE AND TAKE CARE OF THE SITUATIONS
27 THAT ARISES AS YOUR PROJECT GOES ON?

28 MR. MASTIN: WELL, LET ME ANSWER THE TWO-PART

1 QUESTION. THE FIRST PART OF THE QUESTION IS, YES, WE
2 WERE MEETING WITH THE AGUA DULCE TOWN COUNSEL AS EARLY
3 AS 1995. AND FOR SOME REASON, SOME PEOPLE WERE NOT
4 AWARE OF THAT AND THOUGHT WE HADN'T MADE ANY ATTEMPTS TO
5 MEET WITH THE COMMUNITY. BUT THE AGUA DULCE TOWN
6 COUNSEL IS A PLANNING AREA FOR THAT SITE, AND IT IS IN
7 YOUR -- YOU HAVE CERTAIN PLANNING AREAS AND THE TOWN
8 COUNSEL IS THE OFFICIAL BODY FOR THE PLANNING OF THAT
9 SITE.

10 IN ADDITION TO THAT, WE DID MEET WITH THE
11 SAN CANYON HOMEOWNERS ASSOCIATION, THE ACTING TOWN
12 COUNSEL. THERE WAS A MEETING AT PINE TREE ELEMENTARY
13 SCHOOL. EVENTUALLY, I WOULDN'T SAY WE'RE REALLY
14 SUCCESSFUL IN SATISFYING EVERYONE'S CONCERNS, BUT I'M
15 SAYING WE DID GO OUT THERE WAY EARLY ON AND SHOWED THEM
16 EVERYTHING WE COULD SHOW THEM ABOUT THE PROJECT. WE HAD
17 THE SAME AIR PHOTOS RIGHT HERE. WE TOLD THEM EXACTLY
18 WHAT WAS GOING ON AND THEY DIDN'T -- IN TOWN COUNSEL'S
19 CASE, THEY TOOK THEIR TIME BEFORE THEY TOOK THEIR
20 POSITION ON THE PROJECT. THEY DIDN'T TAKE THEIR
21 POSITION IN 1995.

22 MR. TOY: HOW ABOUT FUTURE PLANS?

23 MR. MASTIN: FUTURE PLANS, I WOULD SAY --

24 MR. TOY: WELL, LET ME DO THIS. MAYBE YOU CAN --
25 I THINK THE CHAIRPERSON SAYS WE NEED TO GIVE THE COURT
26 REPORTER A BREAK. SO, MAYBE YOU CAN HOLD THAT AND THEN
27 ANSWER IT WHEN WE GET BACK.

28 MS. FELDMAN: AND WE'RE GOING TO WRAP THIS UP. WE 47

1 DO HAVE THREE OTHER ITEMS ON THE AGENDA THIS MORNING.
2 SO WE'LL TAKE A TEN-MINUTE BREAK.

3 (A BRIEF RECESS WAS TAKEN.)

4 MS. FELDMAN: THE REGIONAL PLANNING COMMISSION IS
5 IN SESSION. PLEASE TAKE YOUR SEATS.

6 ALL RIGHT. COMMISSIONER PEDERSON, DID YOU
7 HAVE ANY QUESTIONS?

8 MR. PEDERSON: NO, I HAVE NO MORE QUESTIONS OF THE
9 TWO GENTLEMEN HERE.

10 MS. FELDMAN: ALL RIGHT.

11 DID YOU WANT TO FINISH YOUR RESPONSE TO
12 COMMISSIONER TOY'S QUESTION?

13 MR. MASTIN: YES, I'D LIKE TO DO THAT AND MAKE
14 JUST A COUPLE QUICK POINTS.

15 THE QUESTION WAS A TWO-PART QUESTION. HAVE
16 WE MET WITH THE COMMUNITY. I THINK WE'VE ANSWERED THAT.
17 WE HAVE TRIED OUR BEST AND WE'VE MET WITH THEM AND I'VE
18 NOT DODGED ANY MEETINGS AND WE'VE OFFERED TO HAVE
19 MEETINGS. AND WE'VE BEEN AT EVERY MEETING THAT EVERY
20 COMMUNITY GROUP ASKED US TO BE AT. OKAY.

21 WITH REGARDS TO OUR FUTURE ACTIVITIES, WE
22 HAVE HAD A POLICY IN ALL OF OUR FACILITIES OF TRYING TO
23 HAVE GOOD COMMUNITY RELATIONS. I THINK IF YOU WILL LOOK
24 IN YOUR PACKET THAT YOU RECEIVED THAT THERE WERE A
25 COUPLE OF LETTERS FROM SOME SCHOOLS NEAR OUR AZUSA
26 DISTRICT THERE. YOU CAN SEE THOSE GREEN DOTS THERE ON
27 THE AZUSA SITE, THOSE ARE THE SCHOOLS THERE. MY BOYS
28 WENT TO ONE OF THOSE SCHOOLS. I LIVE VERY CLOSE TO THE 48

1 MINE.

2 WE HAVE A POLICY OF TRYING TO DO GOOD
3 COMMUNITY RELATIONS. AND I THINK MR. HOWEL (PH.) TALKED
4 ABOUT THAT IN THE PAST FOR THE RECORD. I WON'T GO INTO
5 A LOT OF DETAIL ON IT, BUT WE DO WHAT WE CAN WITH THE
6 COMMUNITY FOR AS GOOD COMMUNITY RELATIONS. I SHOULD
7 STATE A COUPLE THINGS.

8 ONE, ON THE CONVEYER MITIGATION, WE HAVE
9 SOME DEPICTIONS IF YOU WANT TO LOOK AT THEM TO SEE WHAT
10 IT LOOKS LIKE, BUT WE HAVE PROVIDED INFORMATION TO THE
11 DEPARTMENT STAFF. THEY HAVE REVIEWED THIS INFORMATION.
12 AND YOU CAN ASK THEM, I BELIEVE IF YOU ASK THEM THEY
13 WILL TELL YOU THAT THEY'RE NOT SEEING ANY SIGNIFICANT
14 NEW IMPACTS RELATED TO THIS PARTICULAR CONVEYER
15 MITIGATION. CONVEYERS ARE REALLY RATHER RELATIVELY
16 SMALL COMPARED TO THE EQUIPMENT ITSELF, JUST PHYSICALLY
17 SPEAKING, THE EARTH MOVING EQUIPMENT. SO I THINK IF YOU
18 CHECK -- THERE'S A QUESTION ABOUT WHETHER THIS IS A
19 SIGNIFICANT -- CREATES SIGNIFICANT NEW IMPACTS, I WOULD
20 ENCOURAGE YOU TO CHECK WITH YOUR OWN STAFF. I BELIEVE
21 THEY WILL SHARE OUR OPINION, THAT IT DOES NOT CREATE NEW
22 SIGNIFICANT IMPACTS.

23 I GUESS THE LAST POINT I WOULD MAKE IS I
24 WAS REMINDED BY MY COLLEAGUES THAT I'M UNDERSTATING SOME
25 OF THE AGGREGATE NEED CONCERNS. AND THAT THE SAN
26 FERNANDO IS PROJECTED -- YOU KNOW, IT WAS PRODUCING 90
27 MILLION TONS A YEAR UNTIL RECENTLY. AND I BELIEVE ONE
28 OF THE OPERATIONS IS CLOSED NOW. IT'S PROJECTED TO, BY 49

1 THE STATE, TO BE OUT OF AGGREGATES WITHIN A COUPLE
2 YEARS. SO, THIS PROCESS I'M TALKING ABOUT, THE NEED
3 ISSUE, I WAS TALKING TEN YEARS YOU'RE GOING TO BE IN
4 REALLY BAD SHAPE, BUT YOU'RE ALREADY GOING TO START TO
5 BE BEING IN BAD SHAPE IN A COUPLE YEARS. AND THOSE
6 TRUCKS WILL GO BOTH TO PALMDALE, BUT THEY'LL ALSO GO
7 EAST TO AZUSA TO GET THE RESERVES OUT THAT DISTRICT AND
8 THEN THAT DISTRICT WILL WIND UP OUT OF -- IT'S A DOMINO
9 EFFECT IS WHAT OCCURS TO THE RESERVE BASE.

10 MS. FELDMAN: OKAY. ANY OTHER QUESTIONS? ALL
11 RIGHT. THE CHAIR WILL ENTERTAIN A MOTION.

12 MR. PEDERSON: YES, MADAM CHAIR, BASED UPON THE
13 FACTS IN THIS CASE AND THE TESTIMONY RECEIVED DURING
14 THIS PUBLIC HEARING, INCLUDING WRITTEN COMMENTS AND ORAL
15 TESTIMONY, I AM PREPARED TO MAKE A MOTION TO CONTINUE
16 THE PUBLIC HEARING TO JUNE 14TH OF THE YEAR 2,000. AND
17 ALSO REOPEN THE PUBLIC COMMENT PERIOD DURING WHICH
18 WRITTEN COMMENTS AND THE PROJECT'S DRAFT ENVIRONMENTAL
19 IMPACT REPORT MAY BE RECEIVED UNTIL JUNE 14TH 2,000.

20 I BELIEVE THAT THE APPLICANT'S PROPOSED
21 CONVEYER SYSTEM TO TRANSPORT FINDS TO THE NORTH MINES
22 STORAGE AREA, MAY CREATE A SIGNIFICANT NEW AIR QUALITY,
23 VISUAL QUALITY, WATER RESOURCE AND NOISE IMPACTS.

24 I ALSO AGREE THAT SUPERVISOR ANTONOVICH'S
25 LETTER WHICH EMPHASIZES THE IMPORTANCE OF CONSISTENCY
26 BETWEEN THE DRAFT EIR AND DRAFT EIS AS TO IMPACTS
27 RESULTING FROM THE TMC MINING PROJECT.

28 I THEREFORE MOVE THAT THE PUBLIC HEARING BE 50

1 CONTINUED TO JUNE 14TH OF THE YEAR 2,000. LET THE
2 COMMISSION INSTRUCT TO PREPARE AND CIRCULATE FOR PUBLIC
3 REVIEW SUPPLEMENTAL ENVIRONMENTAL DOCUMENTATION
4 REGARDING THE APPLICANT'S PROPOSED CONVEYER BELT SYSTEM
5 AND AN ASSESSMENT OF THE ASSOCIATED ENVIRONMENTAL
6 IMPACTS. I FURTHER MOVE THAT THE COMMISSION REOPEN THE
7 PUBLIC COMMENT PERIOD ON THE PROJECT'S DRAFT EIR UNTIL
8 JUNE 14TH OF THE YEAR 2,000.

9 MR. TOY: I SECOND.

10 MS. FELDMAN: DISCUSSION?

11 MS. CAMPBELL: WELL, I UNDERSTAND YOUR MOTION IS
12 VERY WELL CRAFTED, HOWEVER, I RESPECTFULLY DISAGREE THAT
13 THE PROPOSED MITIGATION MEASURE THAT THE
14 APPLICANT/DEVELOPER HAS PUT FORWARD IS SOMETHING THAT IS
15 APPROPRIATE FOR THE SUBJECT OF ADDITIONAL ENVIRONMENTAL
16 REVIEW.

17 IT WOULD SEEM TO ME THAT WE HAVE COME TO
18 THE POINT NOW WHERE WE SHOULD FRANKLY COOK FISH OR CUT
19 BAIT. I MEAN, WE KNOW WHAT THIS PROJECT IS ABOUT.
20 WE'VE STUDIED THE PROJECT. WE HAVE, YOU KNOW, YARDS AND
21 YARDS OF MATERIAL AFFECTING IT. AND I THINK THAT AT
22 THIS POINT WE SHOULD DECIDE WHETHER OR NOT WE'RE GOING
23 TO APPROVE THE PROJECT AND MOVE ON.

24 MS. VARGO: I AGREE WITH COMMISSIONER CAMPBELL.

25 MS. FELDMAN: ALL RIGHT. LET'S HAVE A ROLE CALL
26 VOTE?

27 MS. RUIZ: COMMISSIONER PEDERSON?

28 MR. PEDERSON: AYE.

1 MS. RUIZ: COMMISSIONER TOY?
2 MR. TOY: AYE.
3 MS. RUIZ: COMMISSIONER FELDMAN?
4 MS. FELDMAN: NO.
5 MS. RUIZ: COMMISSIONER CAMPBELL?
6 MS. CAMPBELL: NO.
7 MS. RUIZ: COMMISSIONER VARGO?
8 MS. VARGO: NO.
9 MR. PEDERSON: I HAVE THE NEXT MOTION TO PRESENT.
10 MAY I PROCEED?
11 MS. FELDMAN: YES, PLEASE.
12 MR. PEDERSON: I MOVE THAT WE INSTRUCT STAFF TO
13 DENY THE PROJECT TO PREPARE THE PAPERS FOR THE DENIAL
14 AND BRING IT BACK THE NEXT AVAILABLE DATE.
15 MR. TOY: SECOND.
16 MS. FELDMAN: DISCUSSION?
17 MS. VARGO: I THINK THAT WE NEED TO INSTRUCT
18 STAFF IF WE'RE GOING TO DO THAT FOR APPROPRIATE FINDINGS
19 FOR DENIAL AND MY BELIEF IS THAT THE FINDING SHOULD BE
20 THAT THE COST THAT WOULD BE ASSOCIATED WITH ANOTHER
21 LOCATION DOES NOT OUTWEIGH THE COST OF THE HEALTH
22 BENEFIT TO THE VALLEY. AND I CANNOT MAKE OVERRIDING
23 CIRCUMSTANCES TO FIND APPROVAL FOR THIS PROJECT UNDER
24 ANY CIRCUMSTANCES.
25 MR. PEDERSON: I WOULD AGREE TO THE CHANGES IN
26 THE MOTION.
27 MS. FELDMAN: I WOULD ADD TO THAT THAT THERE
28 SHOULD BE A FINDING THAT STATES THAT THE ARGUMENT OR THE 52

1 STATEMENT THAT THERE IS A NEED FOR THIS MATERIAL IS NOT
2 GROUNDS FOR THE SIGNIFICANT ENVIRONMENTAL AND HUMAN
3 HEALTH IMPACTS THAT WOULD RESULT THAT -- HOWEVER STAFF
4 WANTS TO WORD THE OLD ADAGE THAT NECESSITY IS THE MOTHER
5 OF INVENTION. IT IS MY STRONG BELIEF THAT WHEN THEY ARE
6 NOT ENOUGH RESOURCES TO MEET A DEMAND THAT ALTERNATIVES
7 ARE FOUND, RECYCLING INCREASES AND OTHER TECHNOLOGIES
8 ARE DEVELOPED. AND THAT THAT SHOULD BE THE EMPHASIS
9 PLACED ON COMING UP WITH THE AGGREGATE NEED OR AGGREGATE
10 SOURCES TO MEET THE DEMAND IN THIS COUNTY.

11 MR. PEDERSON: I'M GOING TO ADD THAT TO MY MOTION.

12 MS. VARGO: AND FURTHERMORE, EVEN THOUGH THE SITES
13 THAT ARE IN THE COUNTY WILL BE COMPLETED AS THE
14 APPLICANT HAS INDICATED, THE FACT THAT THERE ARE
15 RESOURCES AVAILABLE, IT MAY NOT BE AT THESE 18
16 LOCATIONS, THERE ARE STILL RESOURCES AVAILABLE.

17 AND MY OPINION REGARDING THE COST OF THAT,
18 IS THEREFORE RELEVANT IN THAT IF THERE WERE NO OTHER
19 PLACES WHERE THE MATERIAL COULD BE OBTAINED, MAYBE THERE
20 MIGHT BE SOME JUSTIFICATION. BUT UNDER THE
21 CIRCUMSTANCES, I DON'T BELIEVE THERE IS.

22 MS. FELDMAN: I THINK THERE ALSO NEEDS TO BE A
23 FINDING THAT WHILE NOT SPECIFIC IN TERMS OF DOLLAR
24 AMOUNT SITES, THAT THERE IS TREMENDOUS PUBLIC COST,
25 FINANCIAL COST TO SIGNIFICANT ENVIRONMENTAL IMPACTS AND
26 PUBLIC HEALTH IMPACTS. THOSE ARE COSTS THE TAXPAYERS
27 END UP BEARING. AND THOSE DO NOT MEASURE OUT WHEN
28 LOOKING AT THE OVERALL COST BENEFIT ANALYSIS OF THIS

1 PROJECT.

2 MR. PEDERSON: I WOULD AGREE TO ADD ALL OF THE
3 COMMENTS TO THE MOTION.

4 MS. FELDMAN: MOTION AND SECOND AND AMENDMENTS.
5 THOSE IN FAVOR?

6 ALL: AYE.

7 MS. FELDMAN: MOTION CARRIES.

8 THANK YOU, VERY MUCH.

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REPORTER'S CERTIFICATE


STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

I, DEIDRE P. CHARLES, C.S.R. NO. 11461, A CERTIFIED
SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA DO
HEREBY CERTIFY:

THAT THE FOREGOING TRANSCRIPT OF PROCEEDINGS
DEPOSITION, PAGES 3 THROUGH 54, WAS TAKEN BEFORE ME ON
DECEMBER 1, 1999, AT THE TIME AND PLACE SET FORTH, AND
WAS TAKEN BY ME IN SHORTHAND AND THEREAFTER TRANSCRIBED
INTO PRINT UNDER MY DIRECTION AND SUPERVISION, AND I
HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT OF
PROCEEDINGS IS A TRUE AND CORRECT TRANSCRIPT OF MY
SHORTHAND NOTES SO TAKEN;

I FURTHER CERTIFY THAT I AM NEITHER COUNSEL OR
ATTORNEY FOR EITHER OF THE PARTIES HERETO OR IN ANY WAY
INTERESTED IN THE EVENT OF THIS CASE AND THAT I AM NOT
RELATED TO EITHER OF THE PARTIES THERETO.

WITNESS MY HAND THIS 8TH DAY OF DECEMBER, 1999.



DEIDRE P. CHARLES
C.S.R. NO. 11461

CERTIFIED COPY CERTIFICATE

I, DEIDRE P. CHARLES, A CERTIFIED SHORTHAND
REPORTER, NO. 11461, HEREBY CERTIFY THAT THE FOREGOING
PROCEEDINGS, PAGES 3 THROUGH 54, IS A CORRECT AND
CERTIFIED COPY OF THE PROCEEDINGS TAKEN BEFORE ME ON
DECEMBER 1, 1999, AS THEREON STATED.

I DECLARE UNDER PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT.

EXECUTED AT COVINA, CALIFORNIA, THIS 8TH DAY OF
DECEMBER, 1999.


DEIDRE P. CHARLES
C.S.R. NO. 11461

Concordance Report				
Unique Words: 1,406	** 2 **	17; 49:26	14:21	53:28
Total Occurrences: 4,843		91-165 [2]	affirm [1]	analyze [1]
Noise Words: 384	2 [1]	3:9, 19	13:19	30:8
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